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Senate

LEGISLATIVE SESSION

RESPECT FOR MARRIAGE ACT— Resumed

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 8404, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 8404) to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes.

Pending:

Schumer (for Baldwin) amendment No. 6487, in the nature of a substitute.

Schumer amendment No. 6488 (to amendment No. 6487), to add an effective date.

Schumer amendment No. 6489 (to amendment No. 6488), to add an effective date.

Mr. LUJÁN. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LUJÁN). Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

H.R. 8404

Mr. SCHUMER. Mr. President, for millions and millions of Americans, today is a very good day, an important day, a day that has been a long time coming: We are voting to pass the Respect for Marriage Act. Later this afternoon, with a little more bipartisan cooperation, the Senate will vote to pass the Respect for Marriage Act, putting it on the brink of reaching the President's desk.

In many ways, the story of America has been a difficult but inexorable march toward greater equality. Sometimes we have taken steps forward.

Other times, unfortunately, we have taken disturbing steps backward. But, today, after months of hard work, after many rounds of bipartisan talks, and after many doubts that we could even reach this point, we are taking a momentous step forward for greater justice for LGBTQ Americans.

Let me summarize how today will proceed. Later this afternoon, per an agreement between both parties, the Senate will hold three rollcall votes on amendments presented by Senators LEE, LANKFORD, and RUBIO. A vote on final passage for the Respect for Marriage Act will be held after that.

Standing here today, with the passage of this legislation, it is impossible not to think of my family. Today, I am wearing the tie I wore at my daughter's wedding, one of the happiest moments in my life. But I also cannot help but recall the harrowing conversation I had with her and her wife a little more than 2 years ago.

In September of 2020, I was in the middle of a family dinner when we received the news that Justice Ruth Bader Ginsburg had passed away. I remember that awful feeling around the dinner table, and I distinctly remember the question my daughter and her wife asked: "Could our right to marry be undone?"

Millions of Americans in same-sex marriages go about their day with this terrible question lurking in the back of their minds. It is scary. It is a scary, but necessary, acknowledgement that, despite all the progress we have made, the constitutional right to same-sex marriage is not even a decade old and exists only by the virtue of a very narrow 5-to-4 Supreme Court decision.

And we all know the Court has changed since that decision. As we have already seen this year, what the Court has decided in the past can be easily taken away in the future.

So today's vote is deeply personal for many of us in this Chamber. It is personal for me, of course. It is personal

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, in whom is calmness, peace, and harmony, thank You for flourishing faith and growing love. Keep us from dissension and bring us to the unity of Your power.

Lord, give us the grace to stay on the road of virtuous and godly living. Bring us into an ever deeper understanding of Your will. Give our Senators Your peace and an awareness of Your abiding presence. May they exercise self-control and be faithful in everything they do.

Lord, empower them to cling tightly to their faith in You and to keep their consciences clear. We trust in You and know that You will lead us by Your truth.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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to many of my colleagues and their staff and their families. And while we still have a few more votes to take, today is certainly an occasion for joy and relief.

But as important as today is, let's remember that nothing about this process was certain. Remember—remember—it was our original plan to act on the Respect for Marriage Act in September, shortly after the House voted to pass this bill over the summer with a surprising 47 Republicans voting for the act. We knew this bill was popular.

We knew it was the right thing to do, but what we did not know is whether or not we had enough support, 60 votes, to pass this bill through the Senate. Maybe the votes would materialize if we forced a vote on the floor, but that was highly unlikely. And for a great number of us, for so much of America, this bill was too important to risk failure.

So back in September, when I met with the leaders of this bill in my office—Senators SINEMA and BALDWIN and COLLINS and TILLIS and PORTMAN—they recommended I hold off on a vote because they believed they could secure enough support for this bill.

Many questioned if it was the right thing to do. Many on my side of the aisle felt: Put everyone on record right now. And sometimes, they say, that is the way to go. But at the end of the day, my No. 1 priority is always to get legislation passed through the Senate. So I made the decision to take the risk and to wait.

Today, we have vindication that the wait was well worth it. Pushing Respect for Marriage over the finish line required patience and persistence, and, today, it is paying off.

I want to thank the Senators who brought us this far—Senators SINEMA and BALDWIN, as well as COLLINS and TILLIS and PORTMAN—for their outstanding and relentless work. Their work has been magnificent, and I am so thankful they stayed the course even when success may have seemed elusive.

I also want to acknowledge my Republican colleagues who voted in favor of advancing this legislation. Because of our work together, the rights of tens of millions of Americans will be strengthened under Federal law. That is an accomplishment we should all be proud of.

And, of course, I want to thank all of the advocates, volunteers, and organizers not just for supporting this bill but for everything they have done over the years to make the United States a fairer, more accepting nation for LGBTQ Americans.

Finally, let me finish where I started. Two years after my daughter and her wife questioned if their marriage could be undone, they are now expecting a baby next spring. I want them to raise their child with all the love and security that every child deserves, and the bill we are passing today will ensure their rights won't be trampled upon simply because they are in a same-sex

marriage. After this bill passes, they will be the very first people I call.

So thank you to my colleagues who spearheaded this bill. Thank you to my colleagues who have supported this bill. Thank you to the staff and members who worked day and night to find a path forward. And, maybe above all, thank you to the American people, the vast majority of whom have understood that the inexorable march toward equality is what America is all about.

GOVERNMENT FUNDING

Mr. President, on a different subject, the omnibus, earlier this morning, I joined with congressional leaders in a meeting with President Biden at the White House in order to discuss the things we must accomplish before the end of the year. We covered a lot of different topics, but there is one I want to focus on right now—passing an omnibus.

Leader MCCONNELL and I have agreed to try and work together to make sure we get a yearlong funding bill done. We hope it can be done this year, and we know that each side is going to have to give in order to send an omnibus to the President's desk as, of course, it needs 60 votes.

Government funding is scheduled to run out on December 16 at midnight. If we don't take action, the results will be a pointless and painful government shutdown. The best option, by far, is for both parties to come to the table and work on a yearlong funding bill, not a continuing resolution. Lurching from one short-term continuing resolution to the next is a terrible and chaotic way to keep the government open, and ultimately it is average Americans who get a raw deal if the government is forced to function with one hand tied behind its back.

And maybe worst of all, a CR is terrible news for our troops in uniform. It will throw their families into great uncertainty and prevent our security force from conducting crucial operations that will keep us safe, particularly in the Indo-Pacific. So unless we want adversaries like the Chinese Communist Party to outmaneuver us militarily, we must pass an omnibus for the sake of our troops and the sake of our national security.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

CHINESE PROTESTS

Mr. MCCONNELL. Mr. President, the world's eyes are trained this week on the people of China who appear to be engaged in the largest and most wide-

spread protests against the country's repressive Communist Party government since 1989 and the events of Tiananmen Square.

While most of the rest of the world has learned how to adapt to the coronavirus, mitigate its worst effects, and get on with living our lives, the people of China, where the whole crisis began, are still trapped in a "Groundhog Day" of permanent pandemic measures.

Chairman Xi's so-called Zero COVID policy is managing to be both horribly repressive and totally ineffective at the very same time—horribly repressive and totally ineffective at the very same time. They have had unending cycles of punishing lockdowns, repressive quarantines, and mass testing.

Reports and social media posts are flying around the country—like allegations that the government let people burn up in an apartment building fire rather than break quarantine and that a 4-month-old baby girl died because the COVID rules did not allow her to get proper medical treatment. Of course, sadly, none of this is new or an aberration. This is actually perfectly in line with the CCP's long and brutal history.

As in the past, the CCP is failing their citizens and lying about it. When the rest of the world tunes in to World Cup matches, they see cheering crowds. But in China, the broadcasts censor views of the stands to prevent their citizens from seeing unmasked foreigners enjoying actually a normal life.

The people of China have put up with this dystopian state of affairs for nearly 3 years now, and now their patience has ended. Across China's major cities, residents are taking to the streets and speaking out. Local, civil protests are not uncommon in China, but these protests appear to have a different character—more widespread, more bold and brave, more fed up.

Unsurprisingly, demonstrators have received harsh treatment from the authorities who reportedly have beaten protesters and detained a foreign journalist covering the events.

The state media keeps parroting propaganda, but video evidence of the protests and the heavyhanded response is getting through the CCP's "Great Firewall." Thus far, the people have not backed down.

Now, you hear some people suggesting that if a clumsy authoritarian nation is facing such troubles at home, it must pose less of an international threat than we thought. Ah, but this is precisely wrong. Vladimir Putin's previous aggressions against Georgia and Ukraine, its operations in Chechnya and Syria, and now this latest brutal war show exactly how even clumsy and dysfunctional regimes can inflict a terrible toll on free nations and free peoples. Iran, North Korea, and Syria have spent decades proving the very same thing. Of course, China isn't declining; it is continuing to expand and modernize its military power. And Xi and

his CCP constantly show us that their view of denying their own people's freedom at home and disrupting other countries' freedom through the Indo-Pacific has two goals that actually go hand in hand. For thugs and dictators, repression at home and aggression abroad are two sides of the same coin.

So when we see the mismanagement and dysfunction from regimes like Putin's and Xi's, the answer is not—for America and our allies to relax our vigilance, pull inward, or pay less attention to our global interests; the answer is to increase our vigilance, redouble our strength, and keep our friends and partners even closer.

The Biden administration's statement yesterday on the Chinese people's protest was actually too tepid. But what we need are not just stronger short-term words but stronger long-term actions and strategies.

The support that America and our friends have provided to Ukraine has not just been an act of philanthropy to an innocent people who deserve help fighting off the invaders; it is also bringing major benefits to the United States and our partners in the most practical terms.

In the course of fighting for their homes and families, the brave people of Ukraine are seriously degrading the abilities of one of the free world's greatest self-appointed adversaries to deal out violence. Putin and other wannabe tyrants the world over are learning that the cost-benefit calculus to bullying and bloodshed doesn't look like they thought it would.

The importance of this deterrence goes beyond just Europe. China has spent decades investing steadily in military technologies that increase threats to U.S. forces and our allies in the region. The CCP has steadily built military installations in the South China Sea, like a bully standing on a street corner, trying to grab control over international waters and shipping lanes. China has spent years methodically building up the very capabilities it would need to seize Taiwan by force if its people refuse to bend the knee, as we have already seen them do in Hong Kong.

So clearly we need to invest in our own strength, in our own alliances, in our own military modernization and defense industrial base.

The United States needs a strong, well-equipped military capable of preserving the strategic advantage and projecting power anywhere in the world. We need allies and partners willing to invest in their own capabilities. We need our private sector and our partners to understand that free peoples ought to be doing more trading among ourselves but be a lot more careful locating their capital and their employees in a repressed country that disregards basic freedoms and steals intellectual property on an industrial scale.

We need a sufficient military industrial base to keep ourselves safe and re-

main the free world's arsenal—a win-win for our security and for our economy. Among other things, that means rebuilding munitions stockpiles and weapons inventories that have been allowed to atrophy since the end of the Cold War. It means not waiting to arm and train our partners until a bad actor has already started a war. It means not wasting American strength and credibility, as this administration has done by desperately chasing sweetheart deals with Iran and abandoning Afghanistan with no strategy.

Providing for the common defense is one of our basic duties here in Congress. The Democratic leader should have prioritized the National Defense Authorization Act months ago. I am glad we will finally be turning to this essential bill shortly. Strong funding and strong authorization for our national security should never have to be a partisan issue. I know our Democratic friends have internal disagreements about what level of funding our Armed Forces deserve, but Republicans can guarantee this much: Our side will keep standing strong for American security and American strength.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:51 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. SINEMA).

RESPECT FOR MARRIAGE ACT— Continued

The PRESIDING OFFICER. The Senator from Colorado.

CLUB Q SHOOTING

Mr. BENNET. Madam President, before the Thanksgiving break, I planned to use my time today to talk about the Respect for Marriage Act, with which the Presiding Officer has had such an important role playing, and I want to congratulate her on the incredible work that she has done to get this over the finish line, because we are on the verge of passing the Respect for Marriage Act in the U.S. Senate. It is a historic piece of legislation to ensure that if a same-sex or interracial couple marries in one State, that every State has to honor that marriage. The Federal Government has to honor that marriage as well.

There may be no right closer to the heart than marrying the one that you love, and Colorado understands that. And I was going to come down here to talk about how, over decades, my State has led the way on equality. We recognized civil unions in 2013. We banned conversion therapy in my State. We passed our own version of the Equality Act in Colorado.

I was going to come down here and tell you about how Colorado understands what equality has come to mean

in America in 2022, but in the last week, I have been reminded again just how far we have to go.

Last Sunday, Coloradans woke up to the news that Club Q—a loving, accepting, 20-year old LGBTQ club in Colorado Springs—had been the target of a mass shooting. Five Coloradans were killed, and at least 22 were injured.

In the days since, Coloradans have described Club Q as a center of community building, a place where everyone could be their true selves and live without fear.

Club Q's owner, Nic Grzecka, said he founded the club to “be that safe place for people to come and feel and understand that they are normal—that the way they feel is normal and there are people just like them.”

As a father, that is what I hope for my three daughters, and, as a former school superintendent, that is what I wish for the children that I worked for. We want our kids to feel normal and loved and like they belong.

But on November 19, these feelings of safety and acceptance that Club Q had built over two decades were shattered. On the same day that we recognized Trans Day of Remembrance, we added more names to the solemn toll in this country, when a violent young man, radicalized by hateful and divisive rhetoric, killed five people and forever changed a community, forever changed my State.

In minutes, he robbed from us brothers and sisters and daughters and sons, friends, and loved ones, who were there just being themselves, not bothering anybody.

He took from us Derrick Rump, a 38-year-old bartender and co-owner of Club Q, who bought groceries for others during the hardest 2 months of the pandemic; Daniel David Aston, 28 years old, a bar supervisor known as the “master of silliness” because of his contagious happiness and joy; Kelly Loving, 40 years old, who had just moved to Colorado and was trying to enjoy a weekend trip to Colorado Springs; Ashley Paugh, 35 years old, a devoted mother and nonprofit worker, who loved hunting and fishing, like so many other Coloradans, and was there to support the community; and Raymond Green Vance, 22 years old—22 years old—who grew up in Colorado Springs and had just started a new job and was saving up for his own apartment.

I am thinking of them and their families and all of those who survived this terrible tragedy in Colorado—people who imagined that there was one space that you could go to feel safe, and then this happens.

It fills me with rage that it happened. It fills me with sadness. It should fill the entire Senate with rage and sadness.

And if it weren't for the courage of people like Richard Fierro and Thomas James, the list of names I read, already too long, would have been longer.

Thomas James, a petty officer second class in the Navy, used his military crisis training to help subdue the

attacker. He said he jumped into action because he “simply wanted to save the family [he] found” at Club Q.

And Richard Fierro. Richard Fierro, an Iraq and Afghanistan combat veteran, was watching a friend’s performance with his wife, daughter, and friends inside the club when the gunfire started, and his protective instincts—Richard’s protective instincts from four combat deployments—kicked in. He said he went “into combat mode.”

No one enjoying a night with their friends and their family should have to go “into combat mode” in the United States of America. That is not the country that I grew up in.

It is our country today. It is the country that the pages in this institution are inheriting from us. My daughter’s generation and the children I used to work for in the Denver Public Schools, they bear a burden that I never bore growing up in the United States. They have grown up living with a reasonable fear that they could be shot in their classrooms or in their churches or in a grocery store or in a bar that is the one safe place in their community that they could go to.

In 2020—the pages that are here may not know this. In 2020, the leading cause of death for kids in America was guns—guns—not car accidents, not drugs, but guns.

In one study of 29 industrialized countries, the United States accounted for 97 percent of firearm deaths among children 4 years old and younger. That is almost 100 percent of the kids who are dying on planet Earth from gunfire who are 4 years old and younger. What a disgrace. What a disgrace.

We shouldn’t need to count on a stranger’s bravery when we go to a birthday party. We shouldn’t need to count on a stranger’s bravery when we go to the grocery store.

It was just last year when I spoke on this floor to remember the lives we lost in Colorado at a King Soopers in Boulder, and it is with unimaginable pain that I am here once again on this floor with a list of names of people who have lost their lives senselessly.

Colorado is hurting. We are tired of this. For more than two decades, we have had to grieve over one incident after another.

So while we stand here on the verge of taking a historic step toward equality—a vitally important step toward equality—we are reminded once again of just how much work is left to do to give our children the safe and accepting future that they deserve, that they want to have, that we are obligated to give them. We haven’t finished that work in the U.S. Senate.

Earlier this year, the Supreme Court stripped away the first fundamental right since Reconstruction by overturning a 50-year precedent in *Roe v. Wade*, and in that decision, the majority took aim at the fundamental right of privacy and, with it, the right of every single American to marry whom they love.

It is a profound reminder—once again, a reminder—to everybody in this body and to the country, that our history has been from the very beginning a battle between the highest ideals that humans have ever written down on the page—the words in the Constitution of the United States—and the worst impulses in human history.

And when a Justice of the Supreme Court writes that if it wasn’t a freedom in 1868, it is not a freedom today, we are in that struggle today.

When a 22-year-old can walk into a club and kill 5 people and wound more than 20 people, we are in that struggle today.

The reason we are here today doing the important work that we are doing in the marriage act that we are passing today is that Americans understand that no good comes from hoarding freedoms and equality. They know that when we take the opposite view, we act against our best traditions, against our highest ideals. As a nation, we will never flourish if we choose to depend on a permanent underclass, deprived of some or all of the rights and freedoms others enjoy.

Free people do not remain free by denying freedom to others. Today, the Senate of the United States stands on the precipice of advancing freedom, of advancing equality, of moving us closer to our highest ideals.

But, tomorrow, we have more work to do to live up to the words of our Constitution and to realize the promise of equality for all of our citizens.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 6482 TO AMENDMENT NO. 6487

Mr. LEE. Madam President, I call up my amendment No. 6482, and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Utah [Mr. LEE], for himself and others, proposes an amendment numbered 6482 to amendment No. 6487.

The amendment (No. 6482) is as follows:

(Purpose: To improve the bill)

At the end, insert the following:

TITLE II—RELIGIOUS BELIEFS AND MORAL CONVICTIONS

SEC. 201. PROTECTION OF THE FREE EXERCISE OF RELIGIOUS BELIEFS AND MORAL CONVICTIONS.

(a) IN GENERAL.—Notwithstanding section 7 of title 1, United States Code, section 1738C of title 28, United States Code, or any other provision of law, the Federal Government shall not take any discriminatory action against a person, wholly or partially on the

basis that such person speaks, or acts, in accordance with a sincerely held religious belief, or moral conviction, that marriage is or should be recognized as a union of—

(1) one man and one woman; or

(2) two individuals as recognized under Federal law.

(b) DISCRIMINATORY ACTION DEFINED.—As used in subsection (a), a discriminatory action means any action taken by the Federal Government to—

(1) alter in any way the Federal tax treatment of, or cause any tax, penalty, or payment to be assessed against, or deny, delay, or revoke an exemption from taxation under section 501(a) of the Internal Revenue Code of 1986 of, any person referred to in subsection (a);

(2) disallow a deduction for Federal tax purposes of any charitable contribution made to or by such person;

(3) withhold, reduce the amount or funding for, exclude, terminate, or otherwise make unavailable or deny, any Federal grant, contract, subcontract, cooperative agreement, guarantee, loan, scholarship, license, certification, accreditation, employment, or other similar position or status from or to such person;

(4) withhold, reduce, exclude, terminate, or otherwise make unavailable or deny, any entitlement or benefit under a Federal benefit program, including admission to, equal treatment in, or eligibility for a degree from an educational program, from or to such person; or

(5) withhold, reduce, exclude, terminate, or otherwise make unavailable or deny, access or an entitlement to Federal property, facilities, educational institutions, speech fora (including traditional, limited, and non-public fora), or charitable fundraising campaigns from or to such person.

(c) ACCREDITATION; LICENSURE; CERTIFICATION.—The Federal Government shall consider accredited, licensed, or certified for purposes of Federal law any person that would be accredited, licensed, or certified, respectively, for such purposes but for a determination against such person wholly or partially on the basis that the person speaks, or acts, in accordance with a sincerely held religious belief or moral conviction described in subsection (a).

SEC. 202. JUDICIAL RELIEF.

(a) CAUSE OF ACTION.—A person may assert an actual or threatened violation of this title as a claim or defense in a judicial or administrative proceeding and obtain compensatory damages, injunctive relief, declaratory relief, or any other appropriate relief against the Federal Government. Standing to assert a claim or defense under this section shall be governed by the general rules of standing under article III of the Constitution.

(b) ADMINISTRATIVE REMEDIES NOT REQUIRED.—Notwithstanding any other provision of law, an action under this section may be commenced, and relief may be granted, in a district court of the United States without regard to whether the person commencing the action has sought or exhausted available administrative remedies.

(c) ATTORNEYS’ FEES.—Section 722(b) of the Revised Statutes (42 U.S.C. 1988(b)) is amended by inserting “title II of the Respect for Marriage Act,” after “the Religious Land Use and Institutionalized Persons Act of 2000.”

(d) AUTHORITY OF UNITED STATES TO ENFORCE THIS TITLE.—The Attorney General may bring an action for injunctive or declaratory relief against an independent establishment described in section 104(1) of title 5, United States Code, or an officer or employee of that independent establishment, to

enforce compliance with this title. Nothing in this subsection shall be construed to deny, impair, or otherwise affect any right or authority of the Attorney General, the United States, or any agency, officer, or employee of the United States, acting under any law other than this subsection, to institute or intervene in any proceeding.

SEC. 203. RULES OF CONSTRUCTION.

(a) NO PREEMPTION, REPEAL, OR NARROW CONSTRUCTION.—Nothing in this title shall be construed to preempt State law, or repeal Federal law, that is equally or more protective of free exercise of religious beliefs and moral convictions. Nothing in this title shall be construed to narrow the meaning or application of any State or Federal law protecting free exercise of religious beliefs and moral convictions.

(b) NO PREVENTION OF PROVIDING BENEFITS OR SERVICES.—Nothing in this title shall be construed to prevent the Federal Government from providing, either directly or through a person not seeking protection under this title, any benefit or service authorized under Federal law.

(c) NO AFFIRMATION OR ENDORSEMENT OF VIEWS.—Nothing in this title shall be construed to affirm or otherwise endorse a person's belief, speech, or action about marriage.

(d) SEVERABILITY.—If any provision of this title or any application of such provision to any person or circumstance is held to be unconstitutional, the remainder of this title and the application of the provision to any other person or circumstance shall not be affected.

SEC. 204. DEFINITIONS.

In this title:

(1) FEDERAL BENEFIT PROGRAM.—The term “Federal benefit program” has the meaning given that term in section 552a of title 5, United States Code.

(2) FEDERAL; FEDERAL GOVERNMENT.—The terms “Federal” and “Federal Government” relate to and include—

(A) any department, commission, board, or other agency of the Federal Government;

(B) any officer, employee, or agent of the Federal Government; and

(C) the District of Columbia and all Federal territories and possessions.

(3) PERSON.—The term “person” means a person as defined in section 1 of title 1, United States Code, except that such term shall not include—

(A) publicly traded for-profit entities;

(B) Federal employees acting within the scope of their employment;

(C) Federal for-profit contractors acting within the scope of their contract; or

(D) hospitals, clinics, hospices, nursing homes, or other medical or residential custodial facilities with respect to visitation, recognition of a designated representative for health care decisionmaking, or refusal to provide medical treatment necessary to cure an illness or injury.

Mr. LEE. Madam President, today, as popular winds blow against the man and woman of faith, we should look to the Constitution and remember that “Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof . . .” We do a disservice to all Americans if we elevate the rights of one group at the expense of another.

On the one hand, there is no existing threat to same-sex marriage. It is and will remain legal nationwide regardless of the outcome of this legislation before us, the Respect for Marriage Act. On the other hand, we have current,

real, sustained ongoing assaults on religious freedom.

How we proceed today will do nothing to the status quo of same-sex marriage in this country. It is legal and will remain legal regardless of the outcome of this legislation. It will, however, if enacted, have profound consequences for people of faith.

In the wake of the Dobbs decision, proponents of this legislation have conjured up a series of hypothetical scenarios, resulting in an imagined threat to the ability of same-sex couples to marry and enjoy the privileges of marriage.

The rhetorical slippery slope goes something like this: First, they claim that some unknown, unnamed State is on the verge of passing an unknown, yet-to-be-proposed or imagined law prohibiting same-sex marriage. Next, they imagine that Federal district courts will uphold this hypothetical State law despite the crystal-clear direction within the Dobbs and Obergefell opinions from the Supreme Court.

Should that adventure of unlikely hypotheticals transpire, they envision a case making its way all the way up to the Supreme Court of the United States. All of this despite the lack of political will anywhere in the United States to prohibit same-sex marriage.

Should that happen, proponents of this bill contend that there is a nonzero chance that one Justice could decide to analyze the right to marry not through the prism of substantive due process, as it has been since Obergefell was decided in 2015, but rather through the lens of the 14th Amendment's privileges or immunities clause.

Proponents of the bill cite a single line within Justice Thomas's concurring opinion and suggest that one Justice could effectively destroy legal recognition of same-sex marriage not just prospectively but undoing currently legal same-sex marriage.

Now, this is a complete fantasy. I am not aware of a single State in the United States threatening to pass any law infringing the ability of any same-sex couples to marry or enjoy privileges associated with marriage; nor am I aware of a single State threatening to invalidate, within their borders, marriages entered into in other States; nor is it at all clear that Justice Thomas himself was suggesting that Obergefell be overturned. He was suggesting that it be analyzed, like all substantive due process jurisprudence, to figure out whether there might be another provision of the Constitution under which it might be more appropriate.

They are attributing to him statements he didn't make. They are attributing to him analysis he didn't even undertake in that one statement regarding the doctrine of stare decisis, and then they are attributing to States intentions they do not have and have not expressed.

My colleagues have yet to offer even a single example of a same-sex mar-

riage threatened by any current or pending State legislation—not one, not a single one—and they intentionally misinterpret Justice Thomas's concurring opinion in Dobbs and claim that the sky is falling. But it is just not happening.

Unfortunately, we are aware of case after case where individuals, charities, small businesses, religious schools, and religious institutions are being hauled into courts to defend themselves for living out their faith. These people are not committing hate crimes against their neighbors. No, they are not abusing peers for their personal choices either.

No, they are being hauled into courts across this country for serving the poor, the needy, and the refugee in compliance with their sincerely held religious beliefs. In Texas, the United States Conference of Catholic Bishops is currently being sued for operating in accordance with Catholic beliefs regarding marriage while providing foster homes for unaccompanied minor children.

Now, proponents of this bill claim that these charities will be free to continue to operate. However, in that case, the question is whether, because the Conference of Catholic Bishops receives Federal funding to help with its work, it might be operating under color of law. If accepting grants and licenses from the government makes you an actor under color of law, then many of our religious charities and schools will be threatened by this legislation, which relies on that unnarrowed, undefined phrase. Either the U.S. Conference of Catholic Bishops can cease operating according to its religious tenets or abandon its God-given mission to care for the refugee.

In at least three other cases, religious childcare service agencies deemed to be acting under color of law are being shut out of foster care and adoption. These religious ministries can either abandon and cease to act according to their convictions, their religious convictions about marriage, or they can abandon the orphan.

This Nation and our orphans rely on these charities. We cannot and must not force that decision on them. That isn't who we are. From the very moment of our founding, we have been a nation that has welcomed people of all beliefs and of no belief at all.

In recent years, the Obama administration, through the U.S. Department of Education, compiled a so-called shame list outlining more than 200 faith-based colleges and universities seeking religious exemptions from title IX guidance on transgender and sex discrimination. It is highly likely that these organizations could also risk losing their 501(c)(3) status.

Considering that we are in the process of hiring 87,000 new agents within the Internal Revenue Service, it is not beyond the realm of possibility that some of these new IRS agents will be deployed specifically to review the tax-

exempt status of some of these traditionally exempt religious schools. These colleges and universities can either cease operating according to their religious convictions or run the risk of losing their ability to provide quality education at reduced prices. We may well find that they will not be able to do both, and that would be a tragedy.

Dr. Andrew Fox created a chaplaincy program at the Austin Fire Department, where he served as the lead chaplain in a volunteer capacity for 8 years, earning the trust and respect of local firefighters. In a personal blog—nothing connected to his work, just a personal blog—Dr. Fox shared his religious views, his religious views specifically regarding marriage.

City officials demanded he recant his statements and apologize for the harm that his blog post allegedly caused. He explained that he intended only to foster discussion and not cause offense, and he apologized if anyone was offended. His apology apparently wasn't enough for city officials who demanded total compliance with their preferred views on marriage, views that didn't embrace his own religious beliefs. They forced Dr. Fox to hand in his uniform. He could keep his job or his beliefs but not both.

We should not be surprised by the current state of affairs. After all, it was abundantly clear during the Obergefell oral argument before the Supreme Court that this threat to religious nonprofits would be forthcoming. The prescient exchange between Justice Alito and then-Solicitor General Donald Verrilli forecasted the present hostility and the corresponding threats to religious organizations.

Justice Alito asked whether, should States be required to recognize same-sex marriages, religious universities could lose their tax-exempt status. His response, the response from Solicitor General Verrilli, was chilling. He said:

[I]t's certainly going to be an issue. I don't deny that. I don't deny that, Justice Alito. It is going to be an issue.

It is an issue today, and under this legislation it will only get worse tomorrow unless we take affirmative steps to prevent that from happening. And we have the opportunity to do so here, and we shouldn't miss it.

Unlike the hypothetical but entirely nonexistent marriages being threatened or discriminated against, these religious organizations are currently, right now, in court fighting for their God-given and constitutionally protected rights to live and operate according to their beliefs and conscience. They are being targeted and harassed by those who would force them to abandon their convictions and embrace the convictions preferred by the government.

Sadly, the hostages at risk in this standoff are those who have benefited from the charitable work of these institutions: the poor, the hungry, the refugee, the student, and the orphan. Instead of resolving the concern posed by

Justice Alito, this legislation will put the weighty thumb of government on the scale against religious organizations and individuals.

Now, they say: Don't worry; you can still believe as you wish. But if, in living out your faith, you offend the views sanctioned by the government, you will suffer the consequences.

What do we get for this heavy sacrifice of religious freedom? Are we alleviating the suffering of same-sex families about to be destroyed by government interference? No. As I have said, we haven't heard of even one potential threat to same-sex marriage, not one. The only outcome we can expect from this legislation is for religious individuals, businesses, and institutions to spend more time and more money defending their God-given rights in court.

In our pluralistic society, we must be willing to compromise and adapt so that we might live peacefully, peaceably with one another. In that spirit of compromise, let us ensure that we are protecting families—both traditional and same-sex families—and that we are protecting the right to believe as we wish and live out those beliefs without government interference. I believe we can do both. In fact, I know we can do both.

Now, the Collins-Baldwin amendment takes a step in the right direction, and I am grateful for that. Rabbis, imams, and pastors should never be forced to perform a marriage contrary to their beliefs. But religious liberty is so much more than marriage. It entails so much more than what might go on within the four walls of a mosque, a synagogue, or a church. It certainly entails and must include the ability of people to practice their faith not only at church but at home and in the public square.

In the hope that we can come to a place where we respect each other, I have offered an amendment to this legislation that would explicitly minimize the threats to these religious organizations and individuals. I am at the table. I am willing to compromise. In the spirit of compromise, I have publicly stated—and I reiterate here again today—that I will support the legislation if my amendment is adopted.

My amendment simply prohibits the Federal Government from discriminating against schools, businesses, and organizations based on their religious beliefs about same-sex marriage. That is all it does. It is very simple, and I am grateful that we are going to have the chance to vote on it later today.

I am also grateful for the work of my friend and colleague Senator DAN SULIVAN from Alaska, who, working together with several of my other Republican colleagues, helped secure and schedule this vote. I am grateful to him for that effort.

My amendment prevents the Internal Revenue Service, among other things, from revoking the tax-exempt status of these charities and organizations simply because they act according to their beliefs about the divine purpose of

marriage. It prevents the Department of Education from targeting schools with honor codes based on the fact that they have got provisions in their honor codes based on religious beliefs.

It protects individuals from being denied business licenses or grants or other statuses based on their views about marriage. It protects Americans who wish to act according to their religious beliefs from being forced to abandon their God-given mandates to love, serve, and care for the poor, the orphan, and the refugee.

If we allow the government to threaten their ability to do so, then the religious liberty of every American is in peril. That is why I would ask those who have doubts about this to reconsider their doubts about my amendment. If they object to my amendment and are inclined to vote against it based on the fact that they regard it as unnecessary, then why not pass it.

This is a legitimate concern—some may argue this—I have been told by many of the bill's sponsors that my amendment is unnecessary because, according to them, the Collins substitute amendment contains protections that already accommodate this concern.

Now, the Collins substitute amendment does, in fact, contain some protections. I am grateful that those were included, and that is a meaningful step in the right direction. I must point out, however, that it doesn't do what my amendment does and therefore doesn't do what many of its proponents are claiming.

Nowhere in that legislation is a statement prohibiting the Federal Government from taking adverse action against an individual or an entity based on a sincere religious belief about same-sex marriage, whether that religious belief is one that embraces or does not embrace same-sex marriage. It does not do that. It instead says that nothing in this act shall be construed to alter or deny any status or benefit of any group. Those are two very different things.

That language does not do what my amendment does. You see, the threat is not and never was based on what the act itself would do. The act doesn't purport to itself deny or alter any status or benefit or right. So by taking that away, they are paying lip service to the need for my amendment, but they are not actually addressing it.

The threat has been present at least since Obergefell itself was decided for the reasons that prompted Justice Alito to ask then-Solicitor General Verrilli a question about it and the same reasons that prompted Solicitor General Verrilli to acknowledge that it was going to be an issue. Those same reasons exist today. They don't go away because of this legislation. If anything, they are enhanced. The risk is enhanced as a result of this legislation.

That is why this is the perfect opportunity, it is the right opportunity, it may very well be the only opportunity

to make sure that, as we are undertaking a legislative effort to codify rights for one group of Americans, we don't do so in a particularly un-American way; that is, enhance the rights of some at the expense of others. That is not how we roll. That is not how we do things in this country. We can protect both of these interests at the same time, just as we can walk and chew gum.

So for those who would say the Lee amendment isn't necessary because the Collins amendment already takes care of it, that is just not true. And even if it were true, why not accept the Lee amendment anyway? Which begs the question: Why wouldn't anyone want to deny the Federal Government the authority to retaliate against individuals, nonprofits, and other entities based on their sincerely held religious beliefs? Think about that for a minute. Why wouldn't they want to deny that very power from a government that may wield it in a way that is categorically abusive?

For my Republican friends who are sympathetic to the need for my amendment and are going to support it, I would ask that if they support it and if the amendment fails, that you not support the underlying bill, because if you support my amendment, hopefully, presumably, that means it is because you agree that it does something—that it does something necessary. It certainly doesn't counteract, contradict, or undermine the stated purpose of this bill in any way. So if you believe that it is necessary and you are going to vote for it, if it fails, you should oppose passage of this bill unless or until the Lee amendment is adopted.

We could get this done. I understand that it is not going to happen as long as there are at least 10 Republicans willing to join with every Democrat in order to support this legislation. But if even 3 of the 12 Republicans considering support for this legislation in the end—if even 3 of them supporting my amendment would decide not to support the bill unless or until the Lee amendment was added, I am confident—indeed, I am certain—that it could and would ultimately be adopted.

As I said, we must be willing to compromise to protect the interests of all. I urge my colleagues to support my amendment, which would ensure that all Americans would have certain rights and that their religious beliefs and their moral convictions will be explicitly protected and provide some comfort that Congress is not purposely passing laws that restrict the free exercise of religion.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 6493 TO AMENDMENT NO. 6487

Mr. LANKFORD. Madam President, on behalf of Senator RUBIO, I call up amendment No. 6493 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report by number.

The senior assistant legislative clerk read as follows:

The Senator from Oklahoma (Mr. LANKFORD), for Mr. RUBIO, proposes an amendment numbered 6493 to amendment No. 6487.

The amendment is as follows:

(Purpose: To eliminate a private right of action)

Section 1738C of title 28, United States Code, as added by section 4, is amended by striking subsections (c) and (d) and inserting the following:

“(c) STATE DEFINED.—In this section, the term ‘State’ has the meaning given such term under section 7 of title 1.”

AMENDMENT NO. 6496 TO AMENDMENT NO. 6487

Mr. LANKFORD. I would like to also call up amendment No. 6496 and ask that it also be reported by number.

The PRESIDING OFFICER. The clerk will report by number.

The senior assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. LANKFORD] proposes an amendment numbered 6496 to Amendment No. 6487.

The amendment is as follows:

(Purpose: To improve the bill)

On page 3, beginning on line 3, strike “No person acting under color of State law” and insert “No State, territory or possession of the United States, or Indian Tribe”

On page 3, line 17, strike “person” and insert “State, territory or possession of the United States, or Indian Tribe”.

On page 3, strike lines 19 through 23.

On page 5, strike line 20 and all that follows through page 6, line 3, and insert the following:

(a) NO IMPACT ON BENEFITS, STATUS, OR RIGHTS.—Nothing in this Act, or any amendment made by this Act, shall be construed to deny or alter any benefit, status, or right (including tax-exempt status, tax treatment, educational funding, or a grant, contract, agreement, guarantee, loan, scholarship, license, certification, accreditation, claim, or defense) of any entity or person—

(1) if such benefit, status, or right does not arise from a marriage; or

(2) if such potential denial or alteration would be based in whole or in part on the belief, practice, or observance, of the entity or person about marriage.

On page 6, between lines 8 and 9, insert the following:

(c) NO IMPACT FROM PARTNERSHIPS.—For purposes of this Act, and any amendment made by this Act, no faith-based organization shall be considered to be acting under color of State law on the basis of any partnership the organization entered into with a government.

Mr. LANKFORD. Madam President, in 2015, after the Obergefell decision came down from the Supreme Court, putting same-sex marriage as the law of the land, President Obama made a statement to the country. He came and spoke to the country when there was a lot of heat and a lot of emotion going on around the country around that particular decision. He was supportive of the Obergefell decision, but he made this statement. At that time, President Obama said:

I know that Americans of goodwill continue to hold a wide range of views on this issue. Opposition in some cases has been based on sincere and deeply held [religious] beliefs. All of us who welcome today's news should be mindful of that fact; recognize different viewpoints; revere our deep commitment to religious freedom.

That is a wise statement from President Obama during that time period to be able to say: There are going to be a lot of views. We as Americans need to have a wide set of conversations about same-sex marriage and about how we reverse marriage in general. There are different religious views, different perspectives.

Now we are approaching a bill that will be voted on in just about 2 hours. This bill has a section in it dealing with marriage, and it says it has certain religious protections in it.

As I read the bill initially to be able to check the religious protections that are in it, I was surprised at some things that were in it, and I was surprised at some of the things that were left out. So our team went to work writing an amendment to address the specific issues in this bill. We narrowly tailored this bill for our amendment, and we addressed it. Why? Because we were the only ones who thought there was a problem? Actually, no, we weren't the only ones who saw this bill as a problem dealing with religious liberty. In fact, religious liberty groups all over the country and religious institutions started contacting our office and putting out their own statements in opposition to this bill, saying the bill as currently written, even with the “religious protections” in it, does not actually protect the religious liberty of all Americans.

This is just a short list of groups who are in strong opposition to this bill: the Alliance Defending Freedom, the American Association of Christians Schools, CatholicVote, the Center for Urban Renewal and Education, the Centennial Institute, the Christian Employers Alliance, Concerned Women for America, Eagle Forum, the Ethics and Public Policy Center, the Ethics and Religious Liberty Commission, the Faith and Freedom Coalition, the Family Research Council, the Family Policy Alliance, Focus on the Family, Heritage Foundation, Liberty Counsel, Lifeline Children's Services, the National Religious Broadcasters, the Religious Freedom Institute, the U.S. Conference of Catholic Bishops, Samaritan's Purse. The list goes on and on and on of organizations and entities that read through this bill and said there are major concerns with the religious liberty portions of this bill.

Now, I am well aware that there are also groups who have put out a statement and said that they are comfortable with it, that it would protect them, but other organizations are putting out statements and saying: Yeah, that is nice for you, but it actually wouldn't protect us and our members.

There are three major concerns that are in the bill itself under the issue of religious liberty, and if these three things are not changed in this bill, it will put the issue of religious liberty at great risk for millions of Americans who, as President Obama said, hold sincerely held beliefs that are different.

The first is this: There is a section in the very beginning of the bill where it

says any entity that is acting under the color of State law, and then it puts all the restrictions there on them. That is a broadening, actually, of what Obergefell actually did. This says any entity, actually, or individual who is acting under color of state law. What does that mean? Most people don't live in that legal kind of counsel. Well, this would be an entity that a State actually hires to fulfill something for them on behalf of the State.

Let me give you a for-instance on this. A private prison may be one of those examples, but it could also be adoption agencies, foster care agencies. It could be an entity that actually does housing for immigrant and migrant families. It could be a homeless shelter that is contracted by the State to be able to provide services. It could be any number of entities. Many of these entities are actually done by religious organizations that the State actually contracts with them to be able to do those services. In this new statute, if this passes in 2 hours, there would be a new restriction on those religious entities that formally held contracts that then would very well be pushed out from providing those services.

Let me remind you, our Nation functions under not just government operations but cooperation with families and with faith-based entities and nonprofit entities around the country. Our safety net, I talk about often—our first safety net is the families, the second safety net is nonprofit entities, and the third safety net is government. Many governments partner with nonprofit—including faith-based—entities to be able to carry out social services. For those entities, they would now have a target on them because they are functioning under the color of State law, and they would have new restrictions. So their choice would be either not to provide those services or to abandon their faith.

Now, what are the challenges to them in particular in this? Well, the first challenge is that they would face litigation from the Attorney General's Office. The second challenge would be they now face a new what is called a private right of action. That is what the second area my amendment specifically deals with. First, it corrects this looping into lots of new faith-based entities and saying: You are now a State actor; you are under new restrictions. The second one would be this private right of action.

The private right of action would now be—anyone who is functioning “under the color of State law” would now be a target from an individual who senses that they have been harmed by the entity. Now, it is not defined—what “harmed” means—in this new statute; it just says that if someone feels they have been harmed by it, they would now have the opportunity to be able to sue someone else because of that.

It is not hard for me to be able to say something that is fairly obvious; that is, if Congress creates a new right to

sue people, there will be a lot more lawsuits, and there will be new tests and evaluations on that. For anyone who believes that this new right to be able to sue people won't be used and won't be used quickly by lawyers and outside groups all around the country, you are kidding yourself. What will happen in the days ahead, there will be—who knows?—countless numbers of lawsuits testing every new definition of what, under the color of State law, what a partnership with government might look like. Whether that is a vendor who is at an official State event or whether that is an entity that is providing something like a private prison or adoption services, they will all face lawsuits and challenges in the days ahead by entrepreneurial attorneys testing out the limits of this new law.

We don't know what those limits will be determined by the courts. We have no idea because it is not defined what it means when they say they have been harmed and what that definition might mean to different courts around the country. But we do know this is going to be a major issue.

My first question is, Why is this even included in this bill at all? There is already a protection that the State has the opportunity to be able to make sure they are enforcing the law within their State. This new private right of action, though, goes above and beyond that and gives the opportunity for entrepreneurial lawyers to be able to practice their craft at the detriment of entities all over the country.

What it really does is it silences any individual who may disagree and discourages any faith-based entity from cooperating with government; to say, if you want to be able to partner with the State in the area, you probably aren't welcome here because you don't share the same beliefs.

The third big issue that we try to correct in this that is a major problem in this bill is, in the bill, if you actually read from the text 7(a)—now, 7(a) probably means nothing to many people outside this room, but the 7(a) section is designed to be able to protect the rights of individuals or entities not to be able to lose their nonprofit status or grants or contracts or whatever it may be, but it has very specific language that is built into this. The specific language is, if that benefit or right does not arise from a marriage. It is very carefully written.

When I passed it around to different attorneys to say what does it mean, it has been fascinating to me to learn different interpretations of this statute. This particular section 7(a) is written so vague that it is very difficult to understand what it does mean, but it is very clear what it doesn't mean.

When it says all these different rights that have been granted based on does not arise from a marriage, it doesn't include your belief about marriage. It just says does not rise from a marriage.

Why do I say that? Our amendment actually includes the belief about mar-

riage included into it to make it very, very clear that if you have a different belief about marriage, you won't lose your nonprofit status, you won't lose your opportunity to have grants or contracts, but that is not included in this statute.

What is included in the statute is just does not arise from a marriage. That will be a problem in the courts and, unfortunately, that will have to be litigated until that is actually determined what it would mean.

What we could do instead is pass my amendment. The amendment makes it very clear. What I hear from even some of the bill's sponsors is they say: No, this is what it is intended to mean. I look at it and say: That is not what it actually says.

So let's have that section say what you actually intended for that to say to make it clear. Let's take away the private right of action so that people around the country aren't perpetually worried about a lawsuit coming at them constantly. Let's take away this under the color of law section so that there is not a fear of faith-based nonprofits not partnering with their own government for fear government would step in and say: Oh, if you are going to partner with us, then you have to surrender these different beliefs.

Again, I have had individuals who are sponsors of this bill say none of those things are what we intend. But courts don't rule on intentions of Congress; they rule on the text that we actually put out.

Those are three major problems in this text. If they are not corrected and if they are not corrected today, my fear is President Obama's statement of just 7 years ago that we would not “recognize different viewpoints [and] revere our deep commitment to religious freedom” would today be ignored.

I encourage the adoption of my amendment, and I encourage everyone in this body to ask a very simple question of themselves: Is today about respecting the rights of all or is it about silencing some and respecting others?

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I come to the floor today in support of the Respect for Marriage Act. I want to summarize my remarks, though, and ask unanimous consent that my full remarks be printed in today's RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PORTMAN. The Supreme Court declared same-sex marriage as a constitutional right way back in 2015, and the overwhelming majority of Americans support that group. According to Gallup, over 70 percent of Americans believe same-sex marriage should be recognized as valid under law, including a majority of Republicans.

Despite this strong support, the U.S. Code does not reflect that consensus in America. Current legislation allows States and the Federal Government to

refuse to recognize valid same-sex marriages. While it is true the Supreme Court has held this law is not enforceable, it still represents Congress's last word on the subject. The American people rightly expect their elected representatives to bring our laws in line with their beliefs. That is part of what this legislation does.

It is time for the Senate to settle the issue. The Respect for Marriage Act, which passed the House with overwhelming partisanship support, including the support of 46 Republicans on the House side, simply allows interracial or same-sex couples who are validly married under the laws of one State to know that their marriage will be recognized by the Federal Government and other States if they move. This is all in accordance with well-established Supreme Court precedence.

Settling this issue is well within the constitutional authority of us here in Congress. After all, the full faith and credit clause is part of our Constitution.

Since the bipartisan passage of this bill by the House of Representatives earlier this year, in response to concerns over religious liberty, this already narrow bill has been significantly amended in the Senate to include robust religious liberty protections. By working collaboratively on a bipartisan basis with religious liberty scholars; faith organizations; Senate colleagues, including some I see on the floor here today; and other stakeholders, we have developed a substitute amendment that contains important protections for people of faith. It has five key changes to the underlying bill.

Remember, this is a bill that already passed the House with 46 Republican supporters, but these are religious liberty provisions that we have added to it.

First, it has an express acknowledgment that decent and honorable people hold diverse views about the role of gender and marriage and that such people and their beliefs are due respect. This is an important statement that has implications that protect religious liberty.

Second, it explicitly protects all existing religious liberty and conscience protections under the First Amendment and Federal laws including the powerful protections provided by the Religious Freedom Restoration Act.

Third, it guarantees that this bill cannot be used to target or deny benefits, including tax-exempt status, grants, contracts, educational funding, licenses, accreditation, certification, and many others because a person or organization holds a traditional belief about marriage. This protects everything from the tax status of religious nonprofits to the accreditation of religious schools, to the contracts between faith-based adoption providers and the government from being attacked using this bill.

Fourth, it ensures that nonprofit religious organizations, including

churches, mosques, synagogues, religious schools, and others cannot be required to provide facilities, goods, or services for marriage ceremonies or celebrations against their will.

Fifth, it has an explicit prohibition on the recognition of polygamous marriages.

These religious liberty provisions are significant and they are meaningful and they have earned the endorsement of important faith groups. In a joint letter to the Senate, eight different faith-based organizations, including the Church of Jesus Christ of Latter-day Saints, also known as the Mormon Church; the Seventh-Day Adventist Church; the Union of Orthodox Jewish Congregations of America; the Council for Christian Colleges & Universities; the Center for Public Justice; the AND Campaign; the Institutional Religious Freedom Alliance; and the 1st Amendment Partnership—all of them concluded that our religious liberty amendments “[protect] the core religious freedom concerns raised by the bill, including tax exempt status, educational funding, government grants and contracts, and eligibility for licenses, certification and accreditation.” And they said: “If passed, it would continue to build on the congressional wisdom represented by the Religious Freedom Restoration Act of 1993.” So that is what these religious groups—that is what they say about it. They helped write the language.

A group of leading religious liberty scholars and advocates for religious liberty have analyzed the bill, and they have reached the same conclusion. These scholars include, by the way, Professor Doug Laycock, who argued on behalf of faith groups and won two foundational religious liberty cases before the U.S. Supreme Court. On balance, a group of these distinguished professors determined that this bill is an “advance for religious liberty” because, as they say, the “protections are important.”

Notwithstanding these important protections and the opinion of leading experts in the field, the critics of this bill continue to level accusations about what this bill does that are simply not accurate.

First, some critics claim this bill provides grounds for the IRS or other government bodies to revoke the tax-exempt status or other benefits from religious organizations that adhere to traditional views on marriage. This couldn't be further from the truth. Section 7(a) of our amendment actually expressly forbids the outcome that these critics are warning of. It prohibits the use of the bill to target the tax-exempt status, certification, accreditation, grant, funding, loan, license, or any other nonmarital status, right, or benefit of religious organizations. To quote Professor Laycock's analysis:

Those who claim that the bill would be used as a ground for denying tax-exempt status to organizations adhering to male-female

marriage, by analogy to Bob Jones, are disregarding the statutory text.

In addition to the statutory prohibition, this amendment contains a clear statement from Congress, again, that diverse beliefs about the role of gender in marriage, including the belief that marriage is between one man and one woman, come from decent and honorable premises and are due respect. This congressional statement distinguishes the belief that marriage should be between a man and a woman from the belief that interracial marriage is wrong. This distinction is important, and rather than portraying those who believe in traditional marriage as bigots, reflects a national policy that respects diverse beliefs about the role of gender in marriage, while also protecting the rights of same-sex married couples, and that is the key.

Second, some critics argue that this bill will lead to more litigation between “institutions and individuals trying to live according to their sincerely held religious beliefs.” This is also false. The bill only governs the conduct of State actors and contains no litigation tools that would be used against private religious entities acting in a private capacity, even the ones that receive the majority of their funding from the State. To quote, again, from Professor Laycock's analysis, the Respect for Marriage Act and our bipartisan substitute amendment “poses little or no new risk to religious liberty beyond those that already exist.”

Third, some critics continue to make the bewildering argument that this bill will lead to legalized and recognized polygamy. Again, this has no grounding in reality. No State allows bigamy or polygamy, and this bill does not change this. Moreover, our amendment explicitly says now:

Nothing in this Act, or any amendment made by this Act, shall be construed to require or authorize Federal recognition of marriages between more than 2 individuals.

Finally, some critics argue this bill is deficient because it does not contain new enforceable rights for private businesses and other entities beyond the scope of this bill. This bill, as legal scholars and many faith groups agree, poses no new risks to religious organizations, while containing significant benefits and protections for people of faith.

Of course, this bill does not cover or address every lawsuit or dispute that may arise between LGBTQ and religious interests, but it does address the disputes that could arise because of this bill.

In conclusion, I urge my colleagues to look carefully at the new religious liberty provisions. Take a look at it. I hope you will be able to support the Respect for Marriage Act. The substitute amendment is a carefully negotiated, well-crafted piece of legislation that protects people of faith as well as same-sex married couples. A statement in a recent letter from the Council for Christian Colleges & Universities accurately states that our amendment

“sends a strong bipartisan message to Congress, the Administration, and the public that LGBTQ rights can co-exist with religious freedom protections, and that the rights of both groups can be advanced in a way that is prudent and practical.”

I think that is the major point here. They can coexist. That is what our legislation proves. That is why it deserves the support, in my view, of our colleagues.

So I urge them to join me in taking this path forward to pass this bill with the same overwhelming bipartisan support we saw in the House of Representatives. The American people want us to settle this issue and millions of American couples who are married, including many in Ohio, are counting on us to recognize and protect their marriage and give them the peace of mind that they deserve.

I yield the floor.

Madam President, I come to the floor today in support of the Respect for Marriage Act. I hope the Senate will pass this important legislation today.

The Supreme Court declared that same-sex marriage is a constitutional right in 2015 and the overwhelming majority of Americans support this view. According to Gallup, over 70 percent of Americans believe that same-sex marriage should be recognized as valid by the law, including a majority of Republicans.

Despite this vast support, the U.S. Code does not reflect the American consensus. Current legislation allows States and the Federal Government to refuse to recognize valid same-sex marriages. While it is true that the Supreme Court has held that this law is not enforceable, it still represents Congress's last word on the subject. The American people rightly expect their elected representatives to bring our laws in line with their beliefs.

It is time for the Senate to settle the issue. The Respect for Marriage Act, which passed the House with overwhelming bipartisan support, simply allows interracial or same-sex couples who were validly married under the laws of one State, to know their marriage will be recognized by the Federal Government and by other States if they move in accordance with established Supreme Court precedent.

This short, narrow bill has two main effects, both of which are well within the constitutional authority of Congress.

First, it ensures that marriages legally performed in one State are recognized as valid in other States, regardless of sex or race. This is a straightforward application of the full faith and credit clause of the Constitution.

Under this clause, States are required to recognize things like court judgments and public records from other States. This bill will simply clarify that marriage is one of the things that must be recognized across State lines.

Second, this bill specifies that the Federal Government will recognize a

marriage that is valid in the State where it was performed. This portion of the bill keeps the Federal Government out of the business of defining marriage and leaves that decision to the States, where it properly belongs.

As you can see, this bill is extremely narrow, it is constitutional, and it does not infringe on State sovereignty. This is a bill that simply ensures, as a matter of statutory law, that interracial and same-sex marriages that were legal in the State they were performed will be recognized if the couple moves to a different State.

In response to concerns over religious liberty, since the bipartisan passage by the House of Representatives earlier this year, this already narrow bill has been significantly amended in the Senate to include robust religious liberty protections. By working collaboratively on a bipartisan basis with religious liberty scholars, faith organizations, colleagues, and other stakeholders, we have developed a substitute amendment that contains important protections for people of faith. This amendment contains five key changes to the underlying bill.

First, it contains an express acknowledgment that decent and honorable people hold diverse views about the role of gender in marriage and that such people and their beliefs are due respect.

Second, it explicitly protects all existing religious liberty and conscience protections under the First Amendment and Federal laws, including the powerful protections provided by the Religious Freedom Restoration Act.

Third, it guarantees that this bill cannot be used to target or deny benefits—including tax-exempt status, grants, contracts, educational funding, licenses, accreditation, certification, and many others—because a person or organization holds a traditional belief about marriage. This protects everything from the tax status of religious nonprofits, to the accreditation of religious schools, to the contracts between faith-based adoption providers and governments from being attacked using this bill.

Fourth, it ensures that nonprofit religious organizations, including churches, mosques, synagogues, religious schools, and others cannot be required to provide facilities, goods, or services for marriage ceremonies or celebrations against their will.

Fifth, it contains an explicit prohibition on the recognition of polygamous marriages.

These religious liberty provisions are significant, they are meaningful, and they have earned the endorsement of important faith groups that hold to an understanding that marriage is between one man and one woman. In a joint letter to the Senate, eight different faith-based organizations—including the Church of Jesus Christ of Latter-day Saints, otherwise known as the Mormon Church; the Seventh-Day Adventist Church; the Union of Ortho-

dox Jewish Congregations of America; the Council for Christian Colleges & Universities; the Center for Public Justice; the AND Campaign; the Institutional Religious Freedom Alliance; and the 1st Amendment Partnership—concluded that the religious liberty amendment “protects the core religious freedom concerns raised by the bill, including tax exempt status, educational funding, government grants and contracts, and eligibility for licenses, certification, and accreditation” and that, “if passed, it would continue to build on the congressional wisdom represented by the Religious Freedom Restoration Act of 1993.”

This view is not limited to faith groups. A group of leading religious liberty scholars have analyzed the bill and reached the same conclusion. These scholars include Professor Doug Laycock, who argued and won two foundational religious liberty cases before the Supreme Court. He argued on behalf of faith groups in the case *Church of Lukumi Babalu Aye*, the premier case on unconstitutional religious targeting, and *Hosanna-Tabor*, the leading case on the hiring rights of religious organizations. He won both unanimously.

Professor Laycock was joined by Professor Thomas Berg, Professor Carl Esbeck, and Professor Robin Fretwell Wilson in his analysis of the bill. Professor Berg has advocated for religious liberty in briefings before the Supreme Court, including in *Fulton v. City of Philadelphia* to defend the rights of faith-based adoption agencies. Professors Esbeck and Wilson have themselves authored briefs and influential texts on religious liberty. On balance, these distinguished professors determined that this bill is an “advance for religious liberty” because the “protections are important and [] any new risks it creates are quite limited.”

Notwithstanding these important protections and the opinion of leading experts on the issues, the critics of this bill continue to level incorrect accusations about what this bill does. I want to take a moment to respond to three arguments that opponents have made.

First, some critics claim that this bill provides grounds for the IRS or other government bodies to revoke the tax-exempt status or other benefits from religious organizations that adhere to traditional views on marriage. This couldn't be more wrong. Section 7(a) of the amendment expressly forbids the outcomes that the critics are warning of. It prohibits the use of this bill to target the tax-exempt status, certification, accreditation, grant, funding, loan, license or any other non-marital status, right, or benefit of religious organizations. To quote Professor Laycock's analysis: “Those who claim that the bill would be used as a ground for denying tax-exempt status to organizations adhering to male-female marriage, by analogy to Bob Jones, are disregarding the statutory text.”

In addition to this statutory prohibition, this amendment contains a clear

statement from Congress that diverse beliefs about the role of gender in marriage—including the belief that marriage is between one man and one woman—come from decent and honorable premises and are due respect. This congressional statement distinguishes the belief that marriage should be between a man and a woman from the belief that interracial marriage is wrong. This distinction is important, and rather than portraying those who believe in traditional marriage as bigots, reflects a national policy that respects diverse beliefs about the role of gender in marriage, while also protecting the rights of same-sex married couples.

Second, some critics argue that this bill will lead to more litigation against “institutions and individuals trying to live according to their sincerely held religious beliefs.” This is also false. This bill only governs the conduct of State actors and contains no new litigation tools that could be used against private religious entities acting in a private capacity, even ones receiving the majority of their funding from the State. To quote again from Professor Laycock’s analysis, the Respect for Marriage Act and our bipartisan substitute amendment “poses little or no new risk to religious liberty beyond those that already exist.”

Third, some critics continue to make the bewildering argument that this bill could lead to legalized and recognized polygamy. This has no grounding in reality. No State allows bigamy or polygamy, and this bill does nothing to change this. Moreover, our amendment explicitly says that “Nothing in this Act, or any amendment made by this Act, shall be construed to require or authorize Federal recognition of marriages between more than 2 individuals.” No court would entertain the fanciful arguments suggested by critics that a man married to multiple women is somehow not engaged in polygamous marriage.

Finally, some critics argue that this bill is deficient because it does not contain new enforceable rights for private business or other entities that apply beyond the scope of this bill. This is not a fair criticism. This bill—as legal scholars and many faith groups agree—poses no new risks to religious organizations, while containing significant benefits and protections for people of faith. Of course, this bill does not cover or address every lawsuit or dispute that may arise between LGBT and religious interests, but it does address the disputes that could arise because of the bill.

Having addressed these erroneous arguments and criticisms, I also want to take a moment to address the three amendments that we will vote on today. None of the amendments that we are voting on solve perceived problems created by this bill. As I just described, this bill is narrow, it provides no new risks to religious organizations, and it contains important protections for people of faith.

Senator LEE’s amendment provides new affirmative rights that allow people to sue the government—including lawsuits for money damages—if the government discriminates against their beliefs about marriage in any number of ways. Now, because of the significant protections and prohibitions that we have added, none of the discrimination contemplated by Senator LEE could occur because of the Respect for Marriage Act. In other words, this new right proposed by the Lee amendment goes far beyond the scope of the bill before us and seeks to address harms and resolve disputes that are not created by the Respect for Marriage Act. Although I disagree with Senator LEE that his amendment solves any potential problem created by the Respect for Marriage Act, I support the overall goal of providing a defense to discrimination in other contexts. I, therefore, will vote in favor of this amendment.

Senator LANKFORD and Senator RUBIO have proposed separate amendments, both which remove the private right of action from this bill. I do not support this change. It does not fix any alleged problem created by this bill or improve it in any way. A private right of action is a common way for Congress to allow Americans to enforce their statutory rights. It simply allows someone to go to court and to receive a judgment if they have been harmed. To illustrate just how common it is, Senator LEE’s amendment that I just discussed—and will support—also provides a cause of action.

There is no reason to strip the private right of action from this bill because it is extremely narrow and cannot be used against anyone acting in a private capacity. It also cannot be used to obtain money damages. This provision simply allows someone to get a court order requiring a State actor to recognize their valid marriage. Contrary to the claims of some critics, it absolutely does not allow lawsuits against private parties simply because they contract or receive funding from the government.

The right of action is a necessary enforcement mechanism for this bill and removing it could leave those who have their rights under this law violated without a remedy. In other words, it undermines the very purpose of this bill. I will not support the Lankford or Rubio amendments for this reason.

In conclusion, I urge my colleagues to look carefully at the new religious liberty provisions and to support the Respect for Marriage Act. The substitute amendment is a carefully negotiated, well-crafted piece of legislation that protects people of faith as well as same-sex married couples. A statement in a recent letter from the Council for Christian Colleges and Universities captures my views precisely, and so I will directly quote from it: This amendment “sends a strong bipartisan message to Congress, the Administration, and the public that LGBTQ rights

can co-exist with religious freedom protections, and that the rights of both groups can be advanced in a way that is prudent and practical.”

I urge my colleagues to join me in taking this path forward and to pass this bill with the same overwhelming bipartisan support that we saw in the House of Representatives. The American people want us to settle this issue once and for all. Millions of American married couples, including many in Ohio, are counting on us to recognize and protect their marriage to give them the peace of mind they deserve. We shouldn’t let them down.

The PRESIDING OFFICER. The Senator from Wyoming.

Ms. LUMMIS. My days since the first cloture vote on the Respect for Marriage Act, as amended, have involved a painful exercise in accepting admonishment and fairly brutal self-soul-searching—entirely avoidable, I might add, had I simply chosen to vote no.

The Bible teaches that marriage is between one man and one woman. I accept God’s Word, including God’s Word as to the definition of marriage. I support my church’s adherence to that Biblical pronouncement. I support Wyoming statute which codifies that definition. I find solace in people and organizations that share my beliefs.

I, and many like me, have been vilified and despised by some who disagree with our beliefs. They do not withhold bitter invective. They use their own hateful speech to make sure that I and others who believe as I do know that we are hated and despised by them. Americans on the other side of this issue can relate to ill treatment as well.

So why have I strayed with such anguish from a path that conforms to my beliefs, my instruction, my faith, to vote for the Respect for Marriage Act? The answer to that question lies in our history, in how we got here as a nation and as a people, and in where we are as a nation and as a people today.

In the 1600s, colonizers Roger Williams of Rhode Island and William Penn of Pennsylvania cited Scripture and the Protestant reformers to defer to God as the judge of conscience.

Williams referred to religious liberty as “liberty of the soul.” The charter of the Colony of Rhode Island required religious tolerance, “that all may . . . freely and fully have and enjoy his and their own judgments and consciences, in matters of religious concerns.”

George Whitefield’s groundbreaking message, without which these United States never would have come into being, emphasized an individual’s personal relationship with God, where previously the individual deferred to the church. These became foundational for our current American approach to the relationship between church and state.

In 2015, the U.S. Supreme Court, in its Obergefell decision, established a constitutional right to same-sex unions, using the term “marriage.”

Tens of thousands of same-sex American couples have married in reliance on that Supreme Court decision.

The term “marriage” now has two meanings: the Biblical and the secular. The Respect for Marriage Act, by design, references neither definition. It uses the term “individuals.” The act recognizes that both definitions exist and codifies that a marriage legally entered in one State will be legally accepted by the others. Further, the act provides protection from persecution by a government authority toward a church and its organizations of religious instruction that adhere only to the Biblical definition.

These are turbulent times for our Nation. Americans address each other in more crude and cruel terms than ever in my lifetime. It is jarring and unbecoming of us as human beings. It is highly intolerant, and, frequently, the most so when expressed by those who advocate for tolerance. Many of us ask ourselves: Our Nation is so divided. When will this end, and how will it end?

Just as when our Nation was founded, when the New World tore itself from the old, people of diverse faiths, beliefs, and backgrounds had to come to terms with each other, had to tolerate the seemingly intolerable about each other's views, and had to respect each other's rights, even before the Constitution enumerated those rights. They had to tolerate each other in order to survive as a nation. Somehow, most certainly with divine guidance, they did.

For the sake of our Nation today and its survival, we do well by taking this step, not embracing or validating each other's devoutly held views but by the simple act of tolerating them. And that explains my vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, before I begin my remarks, let me commend the Senator from Wyoming for her very moving and perceptive comments. I was very glad to be here on the Senate floor to witness her speech, which I think imparts valuable lessons for all of us to follow.

I rise today in support of the Respect for Marriage Act, which would ensure that all married couples—including same-sex and interracial couples—are entitled to the rights and responsibilities of marriage, regardless of the State in which they live.

Let us remember that we are talking about our family members, our neighbors, our coworkers, our friends. I am proud to have stood—and I will continue to stand—with them in the efforts to secure their rights, while also steadfastly protecting and respecting religious liberty.

With regard to marriage equality, the Respect for Marriage Act accomplishes two primary goals. First, it would guarantee that a valid marriage between two individuals in one State is

recognized by other States, regardless of the couple's sex, race, ethnicity, or national origin.

Second, it would require the Federal Government to recognize valid marriages between two individuals.

Our bill is also noteworthy, however, for the way that it advances the cause of religious liberty. Indeed, the substitute amendment that Senator BALDWIN and I introduced with Senators PORTMAN, SINEMA, and TILLIS, unambiguously adds significant religious liberty and conscience protections to the legislation.

These protections were developed in consultation with and have been endorsed by a wide array of faith-based groups. These include the Church of Jesus Christ of Latter-day Saints, the Seventh-day Adventist Church, the National Association of Evangelicals, the Union of Orthodox Jewish Congregations, the Council for Christian Colleges and Universities, the AND Campaign, the Institutional Religious Freedom Alliance, the Center for Public Justice, and the 1st Amendment Partnership.

Every single one of these entities believes that marriage is between a man and a woman—every single one of them. They support the religious liberty provisions in the substitute because these provisions provide important safeguards against government retaliation, as well as meaningful recognition of their beliefs embodied in public policy.

Prominent constitutional scholars agree. In a letter led by Professor Douglas Laycock of the University of Virginia School of Law, four constitutional scholars who have long advocated for religious liberty have concluded that the substitute amendment is “an advance for religious liberty.” They call it a “good and important step for the liberty of believers to follow their traditional views of marriage.”

Now, let me address some of the unfounded criticisms of our amendment. It has been suggested by some that the amended Respect for Marriage Act would somehow demean individuals who have traditional views on marriage. To the contrary, this legislation would explicitly recognize in Federal law, for the first time, that such views and the people who hold them are “due proper respect.” It reads:

Diverse beliefs about the role of gender in marriage are held by reasonable and sincere people based on decent and honorable religious or philosophical premises. Therefore, Congress affirms that such people and their diverse beliefs are due proper respect.

This finding directly rebuts the claim that the bill can be construed to establish a public policy against people of faith. It does precisely the opposite.

Opponents point to the example of an institution that lost its tax-exempt status on the basis of racially discriminatory policies that were contrary to public policy. That analogy ignores the important finding in our bill.

As Professor Laycock and his colleagues explained, “explicit congressional affirmation that the traditional male-female definition of marriage is ‘reasonable’ and ‘honorable’ would counter the analogy to racism and weaken the grounds for relying on Bob Jones”—that is a Supreme Court case—“to justify rejecting traditional believers’ religious-freedom claims.”

Despite this strong policy statement, some have continued to argue that the Respect for Marriage Act, with the substitute amendment, could still somehow be used to deprive religious organizations of their tax-exempt status. We have heard that on the floor today. This is simply false.

To avoid any ambiguity, the amendment states in section 7(a) that this bill cannot be used to deny or alter such status, as well as the “tax treatment, educational funding, or a grant, contract, agreement, guarantee, loan, scholarship, license, certification, accreditation, claim, or defense.”

In light of these provisions, the constitutional scholars concluded that “those who claim that the bill would be used as a ground for denying tax-exempt status to organizations adhering to male-female marriage . . . are disregarding the statutory text.” The very text of our bill would prohibit that.

Opponents of this legislation are also mistaken in asserting that it would provide new grounds on which to sue churches, nonprofit religious organizations, and people of faith based on their religious beliefs. This, too, is inaccurate.

The bill simply requires government actors to recognize valid marriages and provide marriage-based rights to which married couples are entitled, and it provides a way to pursue claims against those government actors only in instances where that recognition is denied. Government actors are already required to recognize same-sex marriages under the Supreme Court's decision in Obergefell, and the enforcement provisions in our amendment do not apply to individuals or religious organizations who are not government actors.

As the 1st Amendment Partnership, an organization dedicated to protecting religious freedom for Americans of all faiths, wrote in its analysis, “if you cannot be sued now under Obergefell, then you still can't be sued under the” Respect for Marriage Act.

Of course, providing a way to pursue rights in court when those rights are unlawfully denied is not unusual. Indeed, other amendments filed to this legislation contain private causes of action. The amendment offered by our colleague from Utah, Senator LEE, ironically would empower individuals to bring lawsuits even on the basis of “threatened violation[s].”

Notably, not only would the amended Respect for Marriage Act not diminish or abrogate any religious liberty or

conscience protection, it also would provide affirmative protections and litigation defenses for people and organizations of faith that do not exist under current law.

For instance, the amendment contains an affirmative protection that prohibits any religious nonprofit organization—including churches, synagogues, temples, mosques, religious schools, and faith-based social agencies—from being forced to provide goods, services, or accommodations in connection with the solemnization or celebration of a marriage against their beliefs. Moreover, the legislation flatly prohibits any litigation for such a denial.

The leader of one religious group recently wrote that our legislation, as amended, “sends a strong bipartisan message to Congress, the administration, and the public that LGBTQ rights can co-exist with religious freedom protections, and that the rights of both groups can be advanced in a way that is prudent and practical.”

I agree, and that is what our bill does. It advances the rights of couples—same-sex and interracial couples—who are married to one another, and it advances religious liberty.

I ask my colleagues to join me in supporting this important and historic step forward for religious liberty and for ensuring the dignity and respect for all Americans.

The PRESIDING OFFICER. The majority whip.

Mr. DURBIN. Madam President, I ask unanimous consent to speak for 5 minutes before the rollcall begins.

The PRESIDING OFFICER. Without objection.

Mr. DURBIN. Madam President, I am glad that I am on the floor today to hear the previous speakers. I think Senator COLLINS of Maine gave a thoughtful presentation about the substance of this bill and addressed many of the worries and criticisms that were raised on the floor earlier.

I think one thing stuck with me: If there is a protection under Obergefell, it is the same protection under this bill. It is not an expansion of rights.

But I also want to thank the Senator from Wyoming. That was an outstanding statement. It really was, and I join Senator COLLINS in commending her for saying it. I am sure her position has not been an easy one at home, but it reflects some thoughtful consideration on her part. Most importantly, it reflects her appeal to us in this Chamber and to the Nation to really seize this opportunity for tolerance. If there was ever a time when we needed more of that in this Nation, I can't imagine when it was. We need it now more than ever.

It wasn't but just a few days ago that there was a mass shooting involving those who were at a gay nightclub, and innocent people were killed. Now, more than ever, we need to stand up and say there needs to be tolerance in America, and her statement really touched my

heart. I thank her so much for coming to the floor and delivering it.

I take a look at this and say many times I have been critical of Supreme Court Justices, particularly Supreme Court Justice Thomas. We disagree more than we agree. But I, in a way, have to be grateful to him for bringing us to this moment because it was his statement in the Hobbs decision about the possibility of raising questions on other Supreme Court decisions that led us to the introduction of this Respect for Marriage Act.

I thank the Senators who led in that effort. I want to make sure that the RECORD reflects Senator BALDWIN, Senator COLLINS, Senator PORTMAN, who spoke on the floor earlier, and Senator SINEMA and Senator TILLIS, the original cosponsors—bipartisan cosponsors—of the Respect for Marriage Act.

What we are considering here is very fundamental. I went back to read Obergefell, and what Justice Kennedy wrote in that majority opinion was the acknowledgement that there is a constitutional protection based on due process and equal protection under the laws for same-sex marriage—fundamental. He said we don't have to wait on the legislature to spell this out; it already exists. And that, to me, says how powerful this issue is.

My wife and I are blessed to have so many friends who are in same-sex marriages and are wonderful people in so many respects. It has really opened our eyes to the reality of life for so many good Americans who simply want to have the opportunity under the law to marry the people they love.

The vast majority of Americans believe in that. I do, and I think what we are trying to do today is to protect that right as best we can. Maybe what we are doing is not as expansive as Obergefell, but it is a genuine good-faith effort.

Senator LEE, in his amendment, claims that it is necessary for his amendment to protect religious liberty. But he ignores the robust protections for religious liberty already in the Respect for Marriage Act.

The bipartisan substitute has been quoted over and over, but it bears repeating:

Nothing in this Act, or any amendment made by this Act, shall be construed to diminish or abrogate a religious liberty or conscience protection otherwise available to an individual or organization under the Constitution of the United States or Federal law.

Of course, the free exercise of religion must be protected. No one disputes that, and that is why the bipartisan substitute amendment makes clear that this bill does not override existing religious freedom protections.

I commend those religious organizations that have stepped forward, read this bill carefully, and supported it publicly. It is across the political spectrum and religious spectrum of America. I think they understand the lengths that we went—those of us who

supported it, as well as those who wrote it—in putting in provisions to protect the free exercise of religion.

But we must remember that this critical First Amendment right is a shield, not a sword. It cannot and must not be wielded to discriminate against individuals solely based on whom they love. We have seen too many who have tried to turn this crusade the wrong way. I hope today's vote on the U.S. Senate floor makes it clear that we are here to protect civil rights and not enable civil rights violations. We need to protect LGBTQ families and ensure that same-sex marriages are offered the same stability and dignity that all marriages are entitled to.

For these reasons, I oppose Senator LEE's amendment and encourage my colleagues to do the same.

I yield the floor.

VOTE ON AMENDMENT NO. 6482

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 6482, offered by the Senator from Utah, Mr. LEE.

Mr. DURBIN. Madam President, I ask unanimous consent to yield back all time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to amendment No. 6482.

Mr. DURBIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Georgia (Mr. WARNOCK), is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Nebraska (Mr. SASSE) and the Senator from Pennsylvania (Mr. TOOMEY).

The result was announced—yeas 48, nays 49, as follows:

[Rollcall Vote No. 359 Leg.]

YEAS—48

Barrasso	Graham	Murkowski
Blackburn	Grassley	Paul
Blunt	Hagerty	Portman
Boozman	Hawley	Risch
Braun	Hoeven	Romney
Burr	Hyde-Smith	Rounds
Capito	Inhofe	Rubio
Cassidy	Johnson	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Shelby
Cramer	Lee	Sullivan
Crapo	Lummis	Thune
Cruz	Manchin	Tillis
Daines	Marshall	Tuberville
Ernst	McConnell	Wicker
Fischer	Moran	Young

NAYS—49

Baldwin	Casey	Hassan
Bennet	Collins	Heinrich
Blumenthal	Coons	Hickenlooper
Booker	Cortez Masto	Hirono
Brown	Duckworth	Kaine
Cantwell	Durbin	Kelly
Cardin	Feinstein	King
Carper	Gillibrand	Klobuchar

Leahy	Peters	Stabenow
Luján	Reed	Tester
Markey	Rosen	Van Hollen
Menendez	Sanders	Warner
Merkley	Schatz	Warren
Murphy	Schumer	Whitehouse
Murray	Shaheen	Wyden
Ossoff	Sinema	
Padilla	Smith	

NOT VOTING—3

Sasse	Toomey	Warnock
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The PRESIDING OFFICER (Mr. MURPHY). On this vote, the yeas are 48, the nays are 49. The 60-vote threshold having not been achieved, the amendment is not agreed to.

The amendment (No. 6482) was rejected.

AMENDMENT NO. 6496

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes equally divided prior to a vote in relation to amendment No. 6496, offered by the Senator from Oklahoma, Mr. LANKFORD.

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, this amendment is very, very narrowly tailored. It is in response to the bill. I have talked to several of the bill's sponsors, and they have told me their intent is to be able to protect religious liberty, which I appreciate that to be able to have a balanced perspective in this particular bill because people of good will on both sides have disagreements in this area.

The problem is, there are three certain areas of the text that do not actually meet that standard of being a balanced protection. So this amendment goes into those three areas and corrects the text to make sure it actually says it is going to protect religious liberty. It is three areas.

One is a very wide perspective of operating under the color of State law. That has a very broad net on it. We tried to be able to correct that one.

The second one deals with striking the private right of action on this, which will dramatically increase the number of lawsuits. I can assure you, if Congress passes a law that opens up a new lane for lawsuits, there will be lots of new lawsuits in that area.

The third area is in 7(a), where it talks about protecting all these rights if it does arise from a marriage, not from a belief in a marriage. So we are trying to correct that text to make sure it is not just the action of marriage but also the belief of marriage.

That is what this amendment does.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Wisconsin.

Ms. BALDWIN. Senator LANKFORD's amendment would eliminate the only practical recourse for same-sex and interracial couples to protect their marriages under the Respect for Marriage Act. It would create an exemption far beyond current law for partnerships between government and faith-based organizations, the latter of which continue to enjoy robust religious liberty and conscience protections that remain intact under the Respect for Marriage Act.

This amendment would upend a carefully negotiated, bipartisan compromise that protects the interests of religious organizations and individuals while affording the dignity of marriage recognition to same-sex and interracial couples. I urge my colleagues to vote no.

I yield back.

VOTE ON AMENDMENT NO. 6496

The PRESIDING OFFICER. The question occurs on agreeing to amendment No. 6496.

Mr. LANKFORD. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Georgia (Mr. WARNOCK) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Nebraska (Mr. SASSE) and the Senator from Pennsylvania (Mr. TOOMEY).

The result was announced—yeas 45, nays 52, as follows:

[Rollcall Vote No. 360 Leg.]

YEAS—45

Barrasso	Fischer	Moran
Blackburn	Graham	Paul
Blunt	Grassley	Risch
Boozman	Hagerty	Romney
Braun	Hawley	Rounds
Burr	Hoeven	Rubio
Capito	Hyde-Smith	Scott (FL)
Cassidy	Inhofe	Scott (SC)
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Cramer	Lankford	Thune
Crapo	Lee	Tillis
Cruz	Lummis	Tuberville
Daines	Marshall	Wicker
Ernst	McConnell	Young

NAYS—52

Baldwin	Hickenlooper	Portman
Bennet	Hirono	Reed
Blumenthal	Kaine	Rosen
Booker	Kelly	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Carper	Luján	Sinema
Casey	Manchin	Smith
Collins	Markey	Stabenow
Coons	Menendez	Tester
Cortez Masto	Merkley	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Ossoff	Wyden
Hassan	Padilla	
Heinrich	Peters	

NOT VOTING—3

Sasse	Toomey	Warnock
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The amendment (No. 6496) was rejected.

VOTE ON AMENDMENT NO. 6493

The PRESIDING OFFICER (Mr. MARKEY). Under the previous order, there is now 2 minutes equally divided prior to a vote in relation to amendment No. 6493, offered by the Senator from Oklahoma, Mr. LANKFORD, for the Senator from Florida, Mr. RUBIO.

Mr. RUBIO. Mr. President, I ask unanimous consent to yield back all time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to amendment No. 6493.

Mr. RUBIO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Georgia (Mr. WARNOCK) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Nebraska (Mr. SASSE) and the Senator from Pennsylvania (Mr. TOOMEY).

The result was announced—yeas 45, nays 52, as follows:

[Rollcall Vote No. 361 Leg.]

YEAS—45

Barrasso	Fischer	Moran
Blackburn	Graham	Paul
Blunt	Grassley	Risch
Boozman	Hagerty	Romney
Braun	Hawley	Rounds
Burr	Hoeven	Rubio
Capito	Hyde-Smith	Scott (FL)
Cassidy	Inhofe	Scott (SC)
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Cramer	Lankford	Thune
Crapo	Lee	Tillis
Cruz	Lummis	Tuberville
Daines	Marshall	Wicker
Ernst	McConnell	Young

NAYS—52

Baldwin	Hickenlooper	Portman
Bennet	Hirono	Reed
Blumenthal	Kaine	Rosen
Booker	Kelly	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Carper	Luján	Sinema
Casey	Manchin	Smith
Collins	Markey	Stabenow
Coons	Menendez	Tester
Cortez Masto	Merkley	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Ossoff	Wyden
Hassan	Padilla	
Heinrich	Peters	

NOT VOTING—3

Sasse	Toomey	Warnock
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The amendment (No. 6493) was rejected.

The PRESIDING OFFICER. Under the previous order, amendment Nos. 6488 and 6489 are withdrawn, amendment No. 6487 is agreed to, the cloture motion with respect to H.R. 8404 is withdrawn, and the bill is considered read a third time.

The amendments (No. 6488 and 6489) were withdrawn.

The amendment (No. 6487) in the nature of a substitute was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote on passage of H.R. 8404, as amended.

The Senator from Maryland.

Mr. CARDIN. Mr. President, I rise in strong support of H.R. 8404, the Respect

for Marriage Act. I am pleased to be a cosponsor of the Senate companion version of this measure, S. 4556, which has been introduced by Senator FEINSTEIN.

The House passed this legislation by a bipartisan vote of 267 to 157 in July 2022, and the Senate is now poised to pass this legislation with a strong bipartisan vote as well.

In 2010, Maryland began to recognize out-of-state same-sex marriages that were legally performed in other States. And in 2012, Governor Martin O'Malley signed a law guaranteeing Marylanders the freedom to marry regardless of their gender, which was later upheld and confirmed by the voters of Maryland in a statewide referendum.

In 2015, the Supreme Court held in the case of *Obergefell v. Hodges* that the Constitution protected the right of same-sex couples to marry and therefore granting this right nationwide. Let me quote just a few passages from this historic decision, written by Justice Anthony Kennedy more than seven years ago: "Especially against a long history of disapproval of their relationships, this denial to same-sex couples of the right to marry works a grave and continuing harm. The imposition of this disability on gays and lesbians serves to disrespect and subordinate them. And the Equal Protection Clause, like the Due Process Clause, prohibits this unjustified infringement of the fundamental right to marry."

Justice Kennedy concluded in part that: "No union is more profound than marriage, for it embodies the highest ideals of love, fidelity, devotion, sacrifice, and family. In forming a marital union, two people become something greater than once they were. As some of the petitioners in these cases demonstrate, marriage embodies a love that may endure even past death. It would misunderstand these men and women to say they disrespect the idea of marriage. Their plea is that they do respect it, respect it so deeply that they seek to find its fulfillment for themselves. Their hope is not to be condemned to live in loneliness, excluded from one of civilization's oldest institutions. They ask for equal dignity in the eyes of the law. The Constitution grants them that right."

So why are we here today, if *Obergefell* is still the law of the land? We are here because the Supreme Court of the United States decided to strip away a woman's fundamental reproductive rights this summer. The Court overturned its *Roe v. Wade* decision—and a half century of associated precedents—in its radical *Dobbs v. Jackson Women's Health Organization* decision.

In that decision, Justice Thomas wrote a concurrence which warned that the Court should "reconsider, [in future cases], all of this Court's substantive due process precedents, including *Griswold*, *Lawrence*, and *Obergefell*." These decisions protected the right to access contraception, the right to have same-sex relations, and

the right to enter into a same-sex marriage, respectively. Do most Americans really want to turn back the clock on these civil rights, in terms of being able to responsibly plan the size of their family, make personal medical and healthcare decision with their doctors, and fall in love and marry their partner of their choosing, regardless of their gender? I don't think so.

The dissent in *Dobbs* correctly pointed out: "The lone rationale for what the majority does today is that the right to elect an abortion is not 'deeply rooted in history.' Not until *Roe*, the majority argues, did people think abortion fell within the Constitution's guarantee of liberty. The same could be said, though, of most of the rights the majority claims it is not tampering with."

The dissent continued: "The majority could write just as long an opinion showing, for example, that until the mid-20th century, 'there was no support in American law for a constitutional right to obtain [contraceptives].' So one of two things must be true. Either the majority does not really believe in its own reasoning. Or if it does, all rights that have no history stretching back to the mid-19th century are insecure. Either the mass of the majority's opinion is hypocrisy, or additional constitutional rights are under threat. It is one or the other."

I am therefore pleased that the Senate came together in its best traditions to form a bipartisan working group—led by Senators BALDWIN and COLLINS—to codify the right to be married regardless of your gender and to rescind Federal laws to the contrary that are still on the books. I thank Leader SCHUMER for giving this working group additional time after the mid-term elections to reach compromise language that enjoys broad bipartisan support in the Senate, which can overcome a filibuster.

According to the Human Rights Campaign and a recent Gallup poll, 71 percent of Americans now support marriage equality, compared to only about 27 percent in 1996, when President Clinton signed the Defense of Marriage Act—DOMA.

As Senators BALDWIN and COLLINS recently wrote in a compelling op-ed: "Individuals in same-sex and interracial marriages need, and should have, the confidence that their marriages are legal. These loving couples should be guaranteed the same rights and freedoms of every other marriage . . . This legislation has earned bipartisan support in Congress because it grants same-sex and interracial couples the certainty that they will continue to enjoy the same equal treatment under federal law as all other married couples. . . . [W]e should be able to agree that same-sex and interracial couples, regardless of where they live, both need and deserve the assurance that their marriage will be recognized by the federal government and that they will continue to enjoy freedoms, rights and

responsibilities that come with all other marriages."

This legislation has three major components. First, this legislation would formally repeal the Defense of Marriage Act—DOMA—of 1996. Section 2 of DOMA purports to allow States to refuse to recognize valid civil marriages of same-sex couples. Section 3 of the law carved out all same-sex couples, regardless of their marital status, from benefitting from any Federal statutes, regulations and rulings applicable to all other married people. This provision denied same-sex couples roughly 1,100 Federal benefits and protections.

Second, the legislation establishes that "place of celebration" is the standard of recognition for Federal benefits of a same-sex marriage, in terms of recognizing a marriage as legal if valid in the State it was performed. The legislation would also guarantee Federal marriage benefits if a State rescinded same-sex marriage recognition.

Third, this legislation guarantees that legal marriages are given full faith and credit by every other State. Article IV, section 1 of the Constitution provides that "full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state, and the Congress may by general laws prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof." This section of the legislation additionally gives the Attorney General enforcement authority to carry out its provisions and creates a private right of action for any harmed individual.

The compromise language in the Senate measure clarifies that it will have no adverse impact on religious liberty and conscience protections. The revised legislation would explicitly protect all religious liberty and conscience protections available under the Constitution or Federal law, including but not limited to the Religious Freedom Restoration Act. The amendment clarifies that nonprofit religious organizations will not be required to provide any services, facilities, or goods for the solemnization or celebration of a marriage.

President Biden is absolutely correct when he stated: "The right to marriage confers vital legal protections, dignity, and full participation in our society. No person should face discrimination because of who they are or whom they love, and every married couple in the United States deserves the security of knowing that their marriage will be defended and respected."

The Biden administration supports passage of this legislation, stating that "H.R. 8404 would repeal the Defense of Marriage Act, an unconstitutional and discriminatory law, and would enshrine the right to Federal recognition of marriage for same-sex and interracial couples. This legislation would strengthen civil rights, and ensure that the promise of equality is not denied to families across the country."

The Senate should pass this legislation and send it to the House for its consideration and

passage in December. I am hopeful that President Biden will sign this legislation into law before the 117th Congress adjourns sine die. This would be another major bipartisan accomplishment for this Congress and mark an important step forward on our unfinished march for civil rights, as we strive to form a more perfect union, establish justice, and guarantee equal rights and equal justice under the law for all Americans.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, shortly, we will have the opportunity to make history by passing important legislation that will advance two goals: one, the goal of marriage equality for same-sex and interracial couples, and second, the goal of strengthening religious liberty and conscience protections.

I want to thank my colleagues on both sides of the aisle who have worked so hard on this legislation, and I also want to thank the broad array of faith-based groups who worked with us on the religious liberty provisions of our bill.

I want to thank Senator BALDWIN, who has been the lead on this bill; Senator SINEMA, who has worked so hard; Senator PORTMAN, who has poured his heart and soul into it; and Senator TILLIS in particular. But I also want to thank all of the Republicans who have supported this. I know that it has not been easy, but they have done the right thing.

I urge a vote in favor of the bill.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I ask unanimous consent that the debate be extended an additional minute so that I might recognize the leader after my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. BALDWIN. Mr. President, I want to express, as did my colleague Senator COLLINS, that there are many thanks to go around. I thank the leader. I want to thank the original bill sponsors in the House and Senate—Congressman NADLER and Senator FEINSTEIN—and the team of Senators COLLINS, PORTMAN, SINEMA, and TILLIS for your unrelenting commitment that has brought us to this final vote to pass the Respect for Marriage Act.

I want to thank the advocates who have been fighting for marriage equality for decades, and I want to recognize the millions of same-sex and interracial couples who have truly made this moment possible by living their true selves and changing the hearts and minds of people around this country.

Many of these same-sex and interracial couples are fearful. They are worried that the rights, responsibilities, and freedoms they enjoy through civil marriage could be stripped away. Right now, the Senate has the opportunity to put those fears to rest and give millions of people in same-sex and interracial marriages the certainty, dignity, and respect they need and de-

serve. By passing this bill, we are showing that the American Government and people see them and respect them.

I encourage all my colleagues to vote yes on the Respect for Marriage Act and move our country forward.

I yield to our leader.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Now, Mr. President, for millions of Americans, today is a very good day, an important day, a day that has been a long time in coming. The Senate is passing the Respect for Marriage Act.

Today, the long but inexorable march toward greater equality advances forward. By passing this bill, the Senate is sending a message that every American needs to hear: No matter who you are or whom you love, you, too, deserve dignity and equal treatment under the law.

As the Chamber knows, this is personal to me, and the first people I will call when this bill passes will be my daughter and her wife.

I want to thank my colleagues, joining the others, for making this legislation possible—and especially the teams of Senators BALDWIN and SINEMA and COLLINS, TILLIS, and PORTMAN. To all of you, I say: Bravo, a job well done. And to all who make the choice to support this bill, thank you. None of this was inevitable.

At the urging of my colleagues, we took the calculated risk of holding off on a vote back in September because they believed, with more time, we could build enough bipartisan support to push this bill over the finish line. Today, we have vindication that the wait was well worth it. I thank my colleagues for their work.

Above all, I want to thank the American people, the vast majority of whom understand deep in their hearts that the inexorable march toward equality is what America is all about.

I yield the floor.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

VOTE ON H.R. 8404, AS AMENDED

The bill having been read the third time, the question is, Shall the bill, as amended, pass?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Georgia (Mr. WARNOCK) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Nebraska (Mr. SASSE) and the Senator from Pennsylvania (Mr. TOOMEY).

The result was announced—yeas 61, nays 36, as follows:

[Rollcall Vote No. 362 Leg.]

YEAS—61

Baldwin	Blunt	Burr
Bennet	Booker	Cantwell
Blumenthal	Brown	Capito

Cardin	Klobuchar	Sanders
Carper	Leahy	Schatz
Casey	Lujan	Schumer
Collins	Lummis	Shaheen
Coons	Manchin	Sinema
Cortez Masto	Markey	Smith
Duckworth	Menendez	Stabenow
Durbin	Merkley	Sullivan
Ernst	Murkowski	Tester
Feinstein	Murphy	Tillis
Gillibrand	Murray	Van Hollen
Hassan	Ossoff	Warner
Heinrich	Padilla	Warren
Hickenlooper	Peters	Whitehouse
Hirono	Portman	Wyden
Kaine	Reed	Young
Kelly	Romney	
King	Rosen	

NAYS—36

Barrasso	Graham	McConnell
Blackburn	Grassley	Moran
Boozman	Hagerty	Paul
Braun	Hawley	Risch
Cassidy	Hoeven	Rounds
Cornyn	Hyde-Smith	Rubio
Cotton	Inhofe	Scott (FL)
Cramer	Johnson	Scott (SC)
Crapo	Kennedy	Shelby
Cruz	Lankford	Thune
Daines	Lee	Tuberville
Fischer	Marshall	Wicker

NOT VOTING—3

Sasse	Toomey	Warnock
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The PRESIDING OFFICER (Mr. PETERS). The yeas are 61; the nays are 36.

The bill (H.R. 8404), as amended, was passed.

PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, what a great day. What a great day.

ORDER OF PROCEDURE

Mr. President, and now, moving forward, as we always try to do in the Senate, I ask unanimous consent that the Senate proceed to executive session and resume consideration of Calendar No. 1133; and that the cloture motions with respect to Calendar Nos. 1133, 1147, 1148, and 1129 ripen at 11:30 a.m. on Wednesday, November 30; further, that at 11:30 a.m. tomorrow, the Senate vote on motions to invoke cloture on Executive Calendar Nos. 1133 and 1147; that if cloture is invoked on the nomination, all postcloture time be considered expired at 2:15 on Wednesday.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I yield the floor.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Camille L. Velez-Rive, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

The PRESIDING OFFICER. The Senator from Arizona.

Ms. SINEMA. Mr. President, I ask unanimous consent to engage in a colloquy with my colleague, Senator LUMMIS from Wyoming.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESPECT FOR MARRIAGE ACT

Ms. LUMMIS. Mr. President, I rise today to underscore the crucial importance of the religious liberty provisions in the Respect for Marriage Act, which was just passed by the Senate, and to ensure the legislative intent behind these provisions is crystal clear.

As you know, the U.S. Supreme Court's decision in *Obergefell v. Hodges* from 2015 established a constitutional right to same-sex marriage.

When *Obergefell* was argued, then-Solicitor General Verrilli was asked whether recognizing a constitutional right to same-sex marriage would lead to churches, religious organizations, and other not-for-profits potentially having their tax-exempt status reconsidered in light of the Supreme Court's decision in *Bob Jones University v. United States*. Solicitor General Verrilli responded that "it's certainly going to be an issue."

In recognizing a constitutional right to same-sex marriage in 2015, the U.S. Supreme Court did not reconsider the *Bob Jones University* precedent, leaving this issue unresolved.

The Respect for Marriage Act, with the substitute amendment that I cosponsored with Senators SINEMA, COLLINS, BALDWIN, PORTMAN, and TILLIS, answers this question and a number of others, providing strong protections for religious liberty, especially when combined with the Religious Freedom Restoration Act.

I want to thank my friend, the Senator from Arizona, for her hard work on this bill and her willingness to address key questions around religious liberty in a thoughtful and bipartisan way.

It is my understanding that section 2 of the Respect for Marriage Act, in light of the Supreme Court's *Bob Jones v. United States* decision in 1983, would prevent the Internal Revenue Service from successfully arguing that the United States now has a "national policy" favoring same-sex marriage and would prevent the IRS from using this national policy argument to deny tax-exempt status to religious organizations.

I want to ask my friend, the Senator from Arizona, is this your understanding, as well?

Ms. SINEMA. I thank my friend, the Senator from Wyoming. Yes, this is my understanding. Section 2 of the bill states that a variety of reasonable views on the role of gender in marriage exists today, based on both decent and honorable religious and philosophical beliefs. The bill states that all views are due proper respect by the Federal Government.

Furthermore, section 2 of this bill states the Federal Government recognizes religious liberty as an integral component of our national policy regarding marriage. Section 2 of this bill was explicitly included to ensure that the provisions of the *Bob Jones* case relating to the tax-exempt status of organizations are not applicable to this bill.

Bob Jones University v. United States, decided in 1983 before Congress enacted the Religious Freedom Restoration Act, upheld the IRS's decision to rescind *Bob Jones University's* tax exemption on the basis of a "firm and unyielding" national policy against racial discrimination. Section 2 affirms that diverse beliefs about the role of gender in marriage are held by reasonable and sincere people based on decent and honorable religious or philosophical premises. This finding preempts an analogy between the Court's analysis in the *Bob Jones University* case about race and beliefs about marriage and is a statement of policy respecting diverse views about the role of gender in marriage.

I would like to discuss another provision which is central to this bill: section 4, which grants "full faith and credit" under article IV, section 1 of the U.S. Constitution to marriages performed in each of our States, strengthening federalism and making our constitutional structure work.

Section 4 of the bill states that no person "acting under color of State law" may deny full faith and credit to any "public act, record, or judicial proceeding of any other State pertaining to a marriage between two individuals, on the basis of sex, race, ethnicity, or national origin of those individuals." The phrase "acting under the color of State law" is also used in our civil rights statutes to refer to the actions of State and local government officers and employees with respect to rights guaranteed by the U.S. Constitution and Federal law.

Senator, is it your understanding this phrase is intended to incorporate the U.S. Supreme Court's interpretation of the meaning of "acting under color of State law"?

Ms. LUMMIS. Yes, it is my understanding that use of this phrase in section 4 of the bill is intended to incorporate the U.S. Supreme Court's interpretation of this term, including, but not limited to, the case *Rendell-Baker v. Kohn* and *NCAA v. Tarkanian* cases.

I would like to now turn to section 6 of the bill, which provides that no church or religious nonprofit will be forced to solemnize or conduct a marriage ceremony under this bill.

Is it your understanding that section 6(b) bars "any civil claim or cause of action," without exception, relating to a church or religious organization's refusal to solemnize or celebrate a marriage under this section, and the text does not state that it can be overruled by a court in finding a "compelling governmental interest"?

Ms. SINEMA. Yes, it is my understanding section 6(b) bars any civil claim or cause of action relating to a nonprofit religious organization's refusal under that section to solemnize or celebrate a marriage and that such a refusal cannot create a civil claim or cause of action.

The text of section 7 also makes no reference to "compelling governmental

interests." Section 7 provides nothing in this bill should be construed to deny or alter the benefit, status, or right of an otherwise eligible individual or legal entity in relation to tax-exempt status, tax treatment, contracts, loans, scholarships, licenses, and other agreements not arising from a marriage.

In conjunction with section 2 of this bill, which eliminates a successful analogy to the *Bob Jones* case, is it your understanding, Senator, that section 7 would prevent the Internal Revenue Service from using the Respect for Marriage Act to alter or remove the tax-exempt status of an entity for expressing beliefs in opposition or support of same-sex marriage?

Ms. LUMMIS. Yes, that is my understanding, as well, regarding the scope of section 7.

This bill is intended to enshrine a national policy of respect for all views surrounding marriage and to enact some of the strongest religious liberty protections since the Religious Freedom Restoration Act in 1993. This legislation also ensures that religious liberty will have more of a central role in future debates in our courts and in the Halls of Congress.

I would like to thank my friend from Arizona for her tireless work on these issues and her willingness to work together, as always.

The PRESIDING OFFICER. The Senator from New Mexico.

SAFEGUARD TRIBAL OBJECTS OF PATRIMONY ACT OF 2021

Mr. HEINRICH. Mr. President, I rise today to ask the Senate to send H.R. 2930, the Safeguard Tribal Objects of Patrimony Act, to the President's desk for his signature.

The need for this legislation is pretty straightforward.

In 2016, the Governor of the Pueblo of Acoma learned that a sacred ceremonial shield had been stolen and was about to be sold to the highest bidder in Paris. When Governor Riley informed me about this robbery of the Pueblo's cultural patrimony, I called on the State Department to take all possible action to halt the auction. Thankfully, intense public outcry and diplomatic pressure were enough to halt the illegal sale of a Tribe's cultural patrimony.

Finally, in November 2019, more than 3 years after the shield was put on the auction block, it was voluntarily returned to the Pueblo. However, this only happened because of intense public outcry and notoriety. In most cases like this, the item has been sold or simply disappears into a private collection.

Under current Federal law, it is a crime to sell certain protected Native American cultural objects, things like the Acoma shield, here in the United States. But there is still no Federal law prohibiting the export of stolen cultural items and requiring the cooperation of foreign governments in recovering them.

In many cases, Tribes in New Mexico and across our Nation have been forced to effectively pay a ransom to recover their sacred items or had to stand by and watch the sale of their priceless religious and cultural items in international markets.

The lack of an explicit ban on trafficking these items to foreign countries was actually cited by the French Government when they initially declined to stop the auction of the Acoma shield.

Grave robbing is illegal in every single State in the United States, and yet we allow Tribal religious objects, many of which were stolen literally from grave sites, to be exported and sold in foreign auction houses. We cannot let this loophole that allows foreign trade in Native religious heritage to go on for even one more day, and I would urge my colleagues to pass this bill today and end this awful practice.

Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2930, which was received from the House and is at the desk; further, that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Alaska.

Ms. MURKOWSKI. Reserving the right to object, I would like to begin my brief comments here this evening by acknowledging the Senator from New Mexico and agreeing so much with him on this very, very important issue as we seek to protect objects of patrimony, whether in New Mexico or in my State of Alaska or in the home State of the chairman of the Indian Affairs Committee. It has been a travesty and it has been a crime that we have seen many of these objects that have been taken as art collections, that have been taken with no appreciation of the heritage, of the richness, of the tradition, and the respect to the Native people to whom they belong.

And so the STOP Act, or the Safe-guard Tribal Objects of Patrimony Act of 2021, is significant. I am proud to be the lead Republican cosponsor, along with Senator HEINRICH, on this. It is an issue that many in my State have been urging action on.

So I do not rise this evening to object to passage of the STOP Act, but at the same time I am acknowledging the significance of this, I also want to raise another bill that is also very important to my State, H.R. 441. We call it the Don Young Alaska Native Health Care Land Transfers Act.

This is something that I have been working on for several Congresses now, with my friend the late Congressman Young. We took three land transfer bills. We consolidated them into one. We thought it was a pretty simple effort. All we are asking to do is to convey IHS land to two of our Alaska Native Tribal health consortia, as well as

the Tanana Tribe in the interior part of the State.

We passed stand-alone legislation on these three IHS bills earlier this Congress, but instead of passing that legislation, the House did what the House often does. They amended it with technical amendments. They sent it back here as one consolidated bill. That is H.R. 441.

But, again, it is about public health, delivery of healthcare to Alaska Native people in rural and underserved villages, many of which are off the road system. But these simple land transfers would enable construction projects to move forward, to reconstruct and to construct, in some cases, new healthcare facilities to provide care to Alaska Native people, and to also ramp up the delivery of clean, safe drinking water and sanitation facilities in rural villages, which are so key to improving public health.

I think we all would agree that basic services such as water sanitation are pretty important—so everything we can do to help facilitate that. I have pushed the urgent button on these land conveyance issues because time is running out. Construction seasons are very, very limited in Alaska, and so I have been trying to help facilitate that.

I have good commitments from my colleagues who are here on the floor this evening to help us move through this process on our side, or certainly on the House side as well, so that we can see final resolution on the Don Young Alaska Native Health Care Land Transfers Act, and I look forward to working with them on that. And so having said this, I will not object to unanimous consent to advance the STOP Act this evening.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. With your permission, through the Chair, far be it from me to delay the passage of this law, which I know has been worked on by Native people and staffers for many, many years, but I just wanted to make my private commitment to the Senator from Alaska, the vice chair of the Indian Affairs Committee, public.

We are absolutely committed, one way or another, to passing the Don Young lands act, and I just wanted to make that clear on the Senate floor.

The PRESIDING OFFICER. Is there objection?

Mr. HEINRICH. Mr. President, through the Chair, I just want to take a moment to articulate the same commitment publicly, and we look forward to working with my colleague from Alaska, who has been so helpful in putting the STOP Act to a successful resolution. I look forward to working with her to get the Don Young package moved as well.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2930) was ordered to a third reading, was read the third time, and passed.

The PRESIDING OFFICER (Ms. HASSAN). The Senator from Hawaii.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHATZ. Madam President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESPECT FOR MARRIAGE ACT

Mr. LEAHY. Madam President, on behalf of Vermonters, today I was proud to vote for the final passage of the Respect for Marriage Act. Today, we became a slightly more perfect union by recognizing the sanctity of marriage between two individuals, regardless of gender or race.

In August of this year, Marcelle and I celebrated our 60th wedding anniversary. Marrying each other was the most important decision of our lives—not a decision taken lightly, but a deeply personal commitment. A decision such as who to spend your life with should not be determined by a State, local, or Federal government. It is regrettable that throughout our history, too many Americans have been denied the right to marry who they love based on their gender or race.

In 2012, I was proud to cosponsor an earlier version of the Respect for Marriage Act to codify the right for all Americans to marry who they love. As chairman of the Judiciary Committee, I also convened the first ever hearing to examine the harmful consequences the Defense of Marriage Act had, and still has, on American families.

I am a proud cosponsor of this version of the Respect for Marriage Act. This bill—as most bills are—is far from perfect, but is a product of a bipartisan compromise. I want to acknowledge my friend from Wisconsin, Senator BALDWIN, whose steadfast resolve is the reason why this bill passed the Senate today. In the face of Supreme Court Justices determined to turn back the clock on basic rights, a group of bipartisan Senators remained committed to the principle that all legally valid marriages between two people who love and care for each other deserve equal treatment under the law everywhere in our country.

My home State of Vermont is no stranger to making history. Vermont has been a pioneer in the movement for LGBTQ rights. In 2000, Vermont became the first State to introduce civil unions and the first to offer a civil union status encompassing the same legal rights and responsibilities as marriage. The State again made history in 2009 when it was the first State to allow same-sex marriage without being required to do so through a court

decision. Just last year, I was so proud when former Vermont Supreme Court Justice Beth Robinson became the first openly gay woman to ascend to our Federal circuit courts, on the Second Circuit.

Over the years, I have heard from Vermonters, colleagues, my staff, friends, and family on this issue. They have told me what I already know from my marriage to Marcelle. The right to marriage—the right to love someone and build a life with them—should be equally available to all Americans.

As I have said before, when common ground is fertile, we must plant the seeds of progress. And I believe that the Senate did that today by passing the Respect for Marriage Act.

NOTICE OF A TIE VOTE UNDER S. RES. 27

Mrs. MURRAY. Madam President, I ask unanimous consent to print the following letter in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON
HEALTH, EDUCATION, LABOR, AND
PENSIONS,

Washington, DC, November 29, 2022.

To the Secretary of the Senate:

PN2274, the nomination of Moshe Z. Marvit, of Pennsylvania, to be a Member of the Federal Mine Safety and Health Review Commission, having been referred to the Committee on Health, Education, Labor, and Pensions, the Committee, with a quorum present, has voted on the nomination as follows—

On the question of reporting the nomination without recommendation, 11 ayes to 11 noes.

In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the nomination because of a tie vote, and ask that this notice be printed in the Record pursuant to the resolution.

PATTY MURRAY,
Chair.

NOTICE OF A TIE VOTE UNDER S. RES. 27

Mr. CARPER. Madam President, I ask unanimous consent to print the following letter in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON ENVI-
RONMENT AND PUBLIC WORKS,

Washington, DC, November 29, 2022.

To the Secretary of the Senate:

PN 1832, the nomination of Joseph Goffman, of Pennsylvania, to be Assistant Administrator for the Office of Air and Radiation, at the Environmental Protection Agency, having been referred to the Committee on Environment and Public Works, the Committee with a quorum present, has voted on the nomination as follows—

On the question of reporting the nomination favorably with the recommendation that the nomination be confirmed 10 ayes to 10 noes.

In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee on

Environment and Public Works has not reported the nomination because of a tie vote, and ask that this notice be printed in the Record pursuant to the resolution.

THOMAS R. CARPER,
Chair.

ADDITIONAL STATEMENTS

TRIBUTE TO DEVLIN BIRNIE

• Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Devlin for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Devlin is a native of Oregon. He attends George Mason University, where he is pursuing a master's in international security. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Devlin for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO KATY FOLEY

• Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Katy for her hard work as an intern in the Senate Republican Conference. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Katy is a native of Florida. She is a graduate of the University of Alabama, where she studied political science. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Katy for the dedication she has shown while working for me and my staff. It is a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her journey.●

TRIBUTE TO COREY GONZALES

• Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Corey for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Corey is a native of Cheyenne. He attends the Josef Korbel School of International Studies at the University of Denver. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Corey for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO CHRISTOPHER LORANGER

• Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Christopher for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Christopher is a native of Rhode Island. He attends George Washington University, where he studies history and political science. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Christopher for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO JASMINE SLUSSER

• Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Jasmine for her hard work as an intern in the Energy and Natural Resources Committee. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Jasmine is a native of Pennsylvania. She is a student at George Washington University, where she studies public health. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Jasmine for the dedication she has shown while working for me and my staff. It is a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her journey.●

TRIBUTE TO AMY GRANT

• Mrs. BLACKBURN. Madam President, on behalf of myself and Mr. HAGERTY, I ask unanimous consent that the following remarks be printed in the CONGRESSIONAL RECORD to honor our fellow Tennessean, Amy Grant.

Each year, the John F. Kennedy Center for the Performing Arts selects a handful of cultural luminaries to receive the Kennedy Center Honors for their lifetime artistic achievements. On behalf of the entire Tennessee congressional delegation and all Tennesseans, we want to congratulate contemporary Christian and pop singer-

songwriter Amy Grant on her inclusion in the 45th annual honoree class.

A quick glance at Amy's more than 40 years in the spotlight reveals an iconic popstar, songwriter, television personality, and philanthropist who never forgot her gospel roots. The thing that makes Amy special, though, isn't her long list of accolades, but how she used her personal faith in Christ to build bridges between the welcoming contemporary Christian genre and the secular confines of popular music.

All artist-songwriters find success when they strike at the very center of what makes the human heart ache, whether it be for a love found, a life lost, or the infinite potential of what could be. These emotions are humanity's great equalizers. But for gospel artist-songwriters, faith, and not emotion, is the touchstone. For these brave and gifted individuals, assurance comes not from an endless cycle of love, hurt, and healing, but from a far more enduring source of hope.

We could not be more pleased to see the Kennedy Center recognize the importance of Amy's work in helping new generations embrace that hope, and we join the artistic community in thanking her for sharing her gifts with the world.●

TRIBUTE TO BRENDA LEE

● Mrs. BLACKBURN. Madam President, every year, Music City luminaries gather to celebrate entertainers and other giants in the arts with the Cecil Scaife Visionary Award. While statuettes do have their charms, this award highlights true champions of creativity whose life and work have made it possible for future generations to realize careers in the music industry. This year, I have the privilege of congratulating the oft imitated, never duplicated, positively incomparable Brenda Lee as she accepts this special honor.

Even in today's strange world of social media sensations and cross-discipline collaborations, success in the entertainment industry is hard to come by. And if mainstream popularity is a pipe dream, it is safe to consider crossover success on a global scale almost impossible to achieve.

Still, for many of Nashville's rising stars, this pinnacle of artistic achievement is the only measure of professional success worth striving for. But who is to mentor these dreamers? Who sets the standard? If you ask them, they will surely point to Brenda Lee.

Brenda Lee's stunning vocal talent put her on stage at 6, in the studio at 12, and on the international tour circuit by her early teens. Her third single climbed both the pop and country charts, and over the next 20 years, she achieved pop stardom, pop-to-country crossover success, and international fame. That she did this at all is remarkable; but how she did it is what makes Brenda Lee a phenomenon. Her career was not the product of clever

gimmicks, but the manifestation of her own personal tastes, desires, and instincts in song. In a world of mimics, Brenda Lee dismissed convention and created something new.

I have always believed that there is no secret sauce that separates the successful from the legendary, but if there is, its main ingredient is surely the spark of captivating individualism that Brenda embraced over the course of her more than 60 years in the spotlight. And while young artists could never hope to replicate her career, her legacy serves as a reminder that, yes, you can conquer this industry, if only you have the courage to do it on your own terms.●

TRIBUTE TO RAY STEVENS

● Mrs. BLACKBURN. Madam President, today I rise to honor a true Music City legend. For more than 50 years, Ray Stevens has delighted audiences with his talents as a comedian, an actor, a musician, and a songwriter. His unique vision for the future of entertainment allowed him to blaze trails no other artists would dare tread alone.

As a fellow Tennessean, and one of Ray's biggest fans, you can believe me when I say that you have never seen anything like Ray Stevens. It would have been easy for him to justify resting on his laurels while Music City grew around him, but if you know Ray, you know that was never a possibility. Although he achieved fame for his work in the creative arts, he is best known for leading with laughter, kindness, and an unflinching desire to encourage fellow artists.

In 1971, Ray and a group of fellow Music Row luminaries led by Cecil Scaife came together to create a music business program at Belmont University, where aspiring entertainers could exercise both their talents and their business acumen. This tremendous effort changed the industry for the better and set an example for the city's rising stars. Today, the Cecil Scaife Visionary Award is given annually to those whose life and work have made it possible for future generations to realize careers in the music industry, and I could not have been happier when I learned that Ray is one of this year's recipients.

Ray, on behalf of all Tennesseans, I thank you for your devotion to the arts, your zest for life, and for going above and beyond on behalf all who hope to walk in your footsteps.●

TRIBUTE TO LAUREN CAULFIELD AND RONDA CHRYSTAL

● Ms. HASSAN. Madam President, I am honored to recognize Lauren Caulfield and Ronda Chrystal of Brookline as November's Granite Staters of the Month. The pair founded Pink Revolution in order to support cancer patients with chemo care packages and financial support.

When Lauren was being treated for breast cancer, she noticed that not every patient had the same level of support that she did during this difficult time. Some were arriving to chemotherapy sessions alone or had to skip sessions because they couldn't afford it. After her recovery, Lauren decided she wanted to take action, and alongside her longtime friend Ronda, she founded Pink Revolution Breast Cancer Alliance of NH to support patients with all types of cancer.

Lauren and Ronda started by reaching out to friends and family touched by cancer and ultimately built a network of volunteers to put together 1,500 chemo care packages a year to deliver to 25 oncology centers in New Hampshire, Vermont, and Massachusetts. The care packages contain essential items such as blankets, tissues, and lip balm, as well as some items with personal touches, such as hats knitted by residents at nursing homes. In addition, the nonprofit fundraises to provide chemo patients—some of whom struggle with costs during their treatment—with gas and grocery cards.

After undergoing chemotherapy, Lauren decided to find the silver lining in her experience by helping others. With their hard work over the past 4 years, Lauren and Ronda have made a true difference in many Granite Staters' lives as they face serious medical hardship. Lauren and Ronda's work leading Pink Revolution exemplifies the Granite State spirit of generosity, and I commend them and their large network of volunteers.●

REMEMBERING FELIPE VALLS, SENIOR

● Mr. RUBIO. Madam President, I pay tribute to the life and legacy of Cuban-American businessman and icon, Felipe Valls, Sr., who unfortunately passed away. Many know Valls Sr. as the founder of world-renowned Versailles Cuban Restaurant, but many more know of the indelible mark he left on the Cuban exile community throughout south Florida. His life was a true testament to the American dream and he demonstrated a well-lived life in a nation that welcomed him and gave him the opportunity to create a culinary landmark in my home State of Florida. Felipe's legacy will live on through his beloved family and friends. Jeanette and I unite in prayer for the repose of the soul of this great Cuban-American entrepreneur.●

TRIBUTE TO OSVALDO DE LA PEDRAJA

● Mr. RUBIO. Madam President, I recognize Dr. Osvaldo De La Pedraja on his more than 60-year career in the medical field and for celebrating his 92nd birthday on November 19, 2022.

Osvaldo graduated as a doctor of medicine from the Medical School of the University of Havana, Cuba in 1960. Three years later, he was expelled from

the Hospital Clinico Quirurgico Comandante Fajardo due to his opposition to Castro's communist regime.

In 1968, Osvaldo arrived in the United States with his family. Committed to helping those in need of medical assistance in his new country, Osvaldo completed an internship at Mount Sinai Hospital in Miami Beach, FL, and completed his specialty in radiology at Jackson Memorial Hospital. In 1972, Osvaldo opened his own private practice specializing in diagnostic radiology in Coral Gables, FL. For more than 50 years, it has remained in the same location and has helped countless Floridians in need of consulting doctors and seeking medical treatment.

Osvaldo is also a member of the Latin American Society of Radiology, is the president of the Physicians' Assistant Hospital and Annexes Association, and has been a volunteer doctor of La Liga Contra El Cancer for 35 years. Previously, he served as president of the Cuban Revolutionary Forum.

Osvaldo's medical work over the years has undoubtedly saved countless lives in Florida. I am grateful for his decades of service to the people of Florida and for his fight against communism in Cuba. I extend my best wishes on his 92nd birthday.●

TRIBUTE TO GREG GERRITT

● Mr. WHITEHOUSE. Madam President, I rise today to honor an important advocate for environmental preservation and addressing climate change, Greg Gerritt. Mr. Gerritt has worked for the past 20 years for the Environmental Council of Rhode Island, retiring in January of this year. He served as the coordinator for the Compost Initiative, which earned a 2012 EPA Region 1 Merit Award, and founded the Rhode Island Compost Conference. Last year, the Environmental Protection Agency awarded him an Environmental Merit for Lifetime Achievement.

Mr. Gerritt grew up in New York City before earning a bachelor's degree in anthropology from University of Maine. He organized his high school's first Earth Day and has since continuously engaged across communities to support a sustainable green economy in Rhode Island. He founded and served on the board of the Environmental Justice League of Rhode Island, began the Buy Nothing Day Winter Coat Exchange, which has occurred on the day after Thanksgiving for over 20 years, and ran for mayor of Providence as a Green Party candidate. Mr. Gerritt also founded and is the watershed steward for Friends of the Moshassuck, an organization dedicated to preservation, restoration, and revitalization of the Moshassuck River. He created a wetland habitat by restoring a small stormwater drain in the North Burial Ground in Providence and, for over a decade, has produced about 1,500 videos documenting wildlife in this urban

landscape and at locations around the Seekonk River.

I am pleased to recognize Mr. Gerritt's accomplishments in environmental advocacy, justice, and preservation of natural resources and extend my appreciation for his work for our State and environment.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on the Judiciary.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to section 803(a) of the Congressional Recognition for Excellence in Arts Education Act (2 U.S.C. 803(a)), and the order of the House of January 4, 2021, the Speaker appoints the following individual on the part of the House of Representatives to the Congressional Award Board: Ms. Diane Dewhirst of Washington, DC.

ENROLLED BILL SIGNED

At 3:35 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 4524. An act to limit the judicial enforceability of predispute nondisclosure and nondisparagement contract clauses relating to disputes involving sexual assault and sexual harassment.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 7240. An act to reauthorize the READ Act; to the Committee on Foreign Relations.

MEASURES DISCHARGED

The following bill was discharged from the Committee on Energy and Natural Resources, and referred to the Committee on Indian Affairs:

S. 5068. A bill to amend the Northwestern New Mexico Rural Water Projects Act to make improvements to that Act, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5474. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting legislative proposals relative to combating human trafficking, assisting its victims, and prosecuting its perpetrators; to the Committee on the Judiciary.

EC-5475. A communication from the Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report to Congress on the Activities and Operations of the Public Integrity Section for 2021"; to the Committee on the Judiciary.

EC-5476. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a legislative proposal relative to the Death in Custody Reporting Act of 2013 and the Omnibus Crime Control and Safe Streets Act of 1968; to the Committee on the Judiciary.

EC-5477. A communication from the Supervisory Workforce Analyst, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Temporary Agricultural Employment of H-2A Nonimmigrants in the United States" (RIN1205-AB89) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on the Judiciary.

EC-5478. A communication from the Acting Chief of the Immigration Law Division, Executive Office for Immigration Review, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Professional Conduct for Practitioners - Rules and Procedures, and Representation and Appearances" (RIN1125-AA83) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on the Judiciary.

EC-5479. A communication from the Agency Representative, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Trademark Classification Changes" (RIN0651-AD61) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on the Judiciary.

EC-5480. A communication from the Agency Representative, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Changes to Implement Provisions of the Trademark Modernization Act of 2020; Delay of Effective Date and Correction" (RIN0651-AD55) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on the Judiciary.

EC-5481. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Department's fiscal year 2022 and 2023 cost estimate for the Public Wireless Supply Chain Innovation Fund; to the Committee on Commerce, Science, and Transportation.

EC-5482. A communication from the Deputy Bureau Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert Systems"

((PS Docket No. 15-94) (FCC 22-75)) received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5483. A communication from the Chief of Staff, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Amendment of Parts 2 and 25 of the Commission's Rules to Enable GSO Fixed-Satellite Service (Space-to-Earth) Operations in the 17.3-17.8 GHz Band, to Modernize Certain Rules Applicable to 17/24 GHz BSS Space Stations, and to Establish Off-Axis Uplink Power Limits for Extended Ka-Band FSS Operations" ((IB Docket Nos. 20-330, 22-273) (FCC 22-63)) received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5484. A communication from the Acting Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Administration's annual Aeronautics and Space Report of the President; to the Committee on Commerce, Science, and Transportation.

EC-5485. A communication from the Chief of Direct Investment Division, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Direct Investment Surveys: BE-13, Survey of New Foreign Direct Investment in the United States" (RIN0691-AA92) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5486. A communication from the Chief of Direct Investment Division, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Direct Investment Surveys: BE-12, Benchmark Survey of Foreign Direct Investment in the United States" (RIN0691-AA93) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5487. A communication from the Supervisory Fishery Management Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Modification of Deadlines Under the Fish and Fish Product Import Provisions of the Marine Mammal Protection Act" (RIN0648-BK06) received during adjournment of the Senate in the Office of the President of the Senate on November 10, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5488. A communication from the Chief of the Balance of Payments Division, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Services Surveys: Renewal of and Changes to BE-120 Benchmark Survey of Transactions in Selected Services and Intellectual Property with Foreign Persons, and Clarifying When BE-140 and BE-180 Benchmark Surveys are Conducted" (RIN0691-AA91) received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5489. A communication from the Program Manager of the Strategic Management Division, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Protected Communications; Prohibition of Retaliatory Personnel Ac-

tions" (RIN0648-BL23) received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5490. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Lower Mississippi River, Mile Marker 94 to 97 Above Head of Passes, New Orleans, LA" ((RIN1625-AA87) (Docket No. USCG-2022-0333)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5491. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Oregon Inlet Channel, Marc Basnight Bridge, Dare County, NC" ((RIN1625-AA11) (Docket No. USCG-2022-0466)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5492. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation and Safety Zone; Back River, Baltimore County, MD" ((RIN1625-AA08) (Docket No. USCG-2022-0374)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5493. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zones; Corpus Christi Ship Channel, Corpus Christi, TX" ((RIN1625-AA87) (Docket No. USCG-2022-0787)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5494. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zones; Corpus Christi Ship Channel, Corpus Christi, TX" ((RIN1625-AA87) (Docket No. USCG-2022-0787)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5495. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Tennessee River Mile 643-652, Knoxville, TN" ((RIN1625-AA08) (Docket No. USCG-2022-0596)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5496. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Cumberland River, Nashville, TN" ((RIN1625-AA08) (Docket No. USCG-2022-0512)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5497. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Atlantic Intracoastal Waterway, Morehead City, NC" ((RIN1625-AA08) (Docket No. USCG-2022-0467)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5498. A communication from the Legal Yeoman, U.S. Coast Guard, Department of

Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Atlantic Intracoastal Waterway, Morehead City, NC" ((RIN1625-AA08) (Docket No. USCG-2022-0467)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5499. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Tennessee River 255 - 257, Florence, AL" ((RIN1625-AA08) (Docket No. USCG-2022-0756)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5500. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Grand Canal, Indian Harbour Beach, FL" ((RIN1625-AA09) (Docket No. USCG-2022-0015)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5501. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Erie Canal, Part of the New York State Canal System, Albion, NY" ((RIN1625-AA09) (Docket No. USCG-2022-0465)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5502. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Bayou Sara, Saraland, AL" ((RIN1625-AA09) (Docket No. USCG-2022-0910)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5503. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Mobile River, Hurricane, AL" ((RIN1625-AA09) (Docket No. USCG-2019-0911)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5504. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Potomac River, National Harbor, MD" ((RIN1625-AA00) (Docket No. USCG-2022-0733)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5505. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Swim, Columbia River, Cascade Locks, OR" ((RIN1625-AA00) (Docket No. USCG-2022-0623)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5506. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Kanawha River Mile Marker 58 to Mile Marker 59, Charleston, WV" ((RIN1625-AA00) (Docket No. USCG-2022-0740)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5507. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Ohio River Mile Marker 317.5 to Mile Marker 318.5, Catlettsburg, KY” ((RIN1625-AA00) (Docket No. USCG-2022-0687)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5508. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Homewood Wedding Fireworks Display, Homewood, CA” ((RIN1625-AA00) (Docket No. USCG-2022-0552)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5509. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; MM, 190-192, Cumberland River, Nashville, TN” ((RIN1625-AA00) (Docket No. USCG-2022-0591)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5510. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Cumberland River, Nashville, TN” ((RIN1625-AA00) (Docket No. USCG-2022-0275)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5511. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Gulf Intracoastal Waterway, Corpus Christi, TX” ((RIN1625-AA00) (Docket No. USCG-2022-0568)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5512. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Military Exercise, Sinclair Inlet, Bremerton, W” ((RIN1625-AA00) (Docket No. USCG-2022-0594)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5513. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Spokane Street Bridge; Duwamish Waterway, Seattle, WA” ((RIN1625-AA00) (Docket No. USCG-2022-0587)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5514. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Pacific Gas and Electric Radiological Barrier Maintenance, Eureka, CA” ((RIN1625-AA00) (Docket No. USCG-2022-0553)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5515. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Susquehanna River, Havre de Grace, MD” ((RIN1625-AA00) (Docket No. USCG-2022-0695)) received in the Office of the Presi-

dent of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5516. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Cumberland River, Nashville, TN” ((RIN1625-AA00) (Docket No. USCG-2022-0638)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5517. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Fireworks Display, Onset Bay, Onset, MA” ((RIN1625-AA00) (Docket No. USCG-2022-0778)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5518. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Firework Event, Willamette River, Portland, OR” ((RIN1625-AA00) (Docket No. USCG-2022-0626)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5519. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Tennessee River, Ohio River and Cumberland River; Paducah and Smithland; Kentucky” ((RIN1625-AA00) (Docket No. USCG-2022-0463)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5520. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Corpus Christi Shipping Channel, Corpus Christi, TX” ((RIN1625-AA00) (Docket No. USCG-2022-0798)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5521. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Fireworks Display, Boothbay Harbor, Boothbay, ME” ((RIN1625-AA00) (Docket No. USCG-2022-0525)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5522. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; KE Electric Party Firework Show; Detroit River; Detroit, MI” ((RIN1625-AA00) (Docket No. USCG-2022-0674)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5523. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Black River, South of East Erie Avenue Bridge in Front of Black River” ((RIN1625-AA00) (Docket No. USCG-2022-0273)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5524. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant

to law, the report of a rule entitled “Safety Zone; Ironman Michigan, Frankfort Harbor, MI” ((RIN1625-AA00) (Docket No. USCG-2022-0595)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5525. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Steve Hamburger Wedding Fireworks, Bay Harbor, MI” ((RIN1625-AA00) (Docket No. USCG-2022-0671)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5526. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Lake Erie; Sandusky, OH” ((RIN1625-AA00) (Docket No. USCG-2022-0464)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5527. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Thunder on the Niagara Fireworks; Niagara River; North Tonawanda, NY” ((RIN1625-AA00) (Docket No. USCG-2022-0564)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5528. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Henderson Harbor, Henderson Harbor, NY” ((RIN1625-AA00) (Docket No. USCG-2022-0500)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5529. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Fairport Harbor, Fairport, OH” ((RIN1625-AA00) (Docket No. USCG-2022-0616)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5530. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Jon Cotton Wedding Fireworks, Round Island Channel, MI” ((RIN1625-AA00) (Docket No. USCG-2022-0366)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5531. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Flight Attendant Duty Period Limitations and Rest Requirements; Amdt. No. 121-386” ((RIN2120-AL41) (Docket No. FAA-2019-0770)) received during adjournment of the Senate in the Office of the President of the Senate on November 10, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5532. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airspace Designations; Incorporation by Reference” ((RIN2120-AA66) (Docket No. FAA-2022-1022)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5533. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Extension of the Prohibition Against Certain Flights in the Tehran Flight Information Region (FIR) (OIIX)” ((RIN2120-AA66) (Docket No. FAA-2020-0874)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5534. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Recognition of Pilot in Command Experience in the Military and Air Carrier Operations” ((RIN2120-AA66) (Docket No. FAA-2017-1106)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5535. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment and Revocation of Air Traffic Service (ATS) Routes; Eastern United States” ((RIN2120-AA66) (Docket No. FAA-2022-0827)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5536. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment and Removal of VOR Federal Airways in the Eastern United States” ((RIN2120-AA66) (Docket No. FAA-2022-0646)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5537. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Removal of VOR Federal Airways in the Eastern United States” ((RIN2120-AA66) (Docket No. FAA-2022-0823)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5538. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Modification of Restricted Areas R-6501A and R-6501B; Underhill, VT” ((RIN2120-AA66) (Docket No. FAA-2022-1116)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5539. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class D and Class E Airspace and Revocation of Class E Airspace; La Crosse, WI” ((RIN2120-AA66) (Docket No. FAA-2022-0774)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5540. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “CORRECTION: Amendment of United States Area Navigation (RNAV) Route T-232; Fairbanks, AK” ((RIN2120-AA66) (Docket No. FAA-2022-0026)) received in the Office of the President

of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5541. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Area Navigation (RNAV) Routes; Northeastern United States” ((RIN2120-AA66) (Docket No. FAA-2022-0475)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5542. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment and Revocation of Area Navigation (RNAV) Routes; Southeastern and Northeastern United States” ((RIN2120-AA66) (Docket No. FAA-2022-0824)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5543. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4026” ((RIN2120-AA65) (Docket No. 31448)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5544. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4025” ((RIN2120-AA65) (Docket No. 31447)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5545. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; General Electric Company Turbofan Engines; Amendment 39-22157” ((RIN2120-AA64) (Docket No. FAA-2022-0516)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5546. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Pilatus Aircraft Ltd. Airplanes; Amendment 39-22172” ((RIN2120-AA64) (Docket No. FAA-2022-0153)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5547. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; General Electric Company Turbofan Engines; Amendment 39-22170” ((RIN2120-AA64) (Docket No. FAA-2022-0587)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5548. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of

Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes; Amendment 39-22175” ((RIN2120-AA64) (Docket No. FAA-2022-1156)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5549. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus Helicopters; Amendment 39-22177” ((RIN2120-AA64) (Docket No. FAA-2022-1157)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5550. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes; Amendment 39-22163” ((RIN2120-AA64) (Docket No. FAA-2022-0391)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5551. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes; Amendment 39-22165” ((RIN2120-AA64) (Docket No. FAA-2022-0591)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5552. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes; Amendment 39-22160” ((RIN2120-AA64) (Docket No. FAA-2022-0689)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5553. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier, Inc., Airplanes; Amendment 39-22161” ((RIN2120-AA64) (Docket No. FAA-2022-0687)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5554. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; CFM International, S.A. Turbofan Engines; Amendment 39-22140” ((RIN2120-AA64) (Docket No. FAA-2022-0515)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5555. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Costruzioni Aeronautiche Tecnam S.P.A. Airplanes; Amendment 39-22180” ((RIN2120-AA64) (Docket No. FAA-2022-1162)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5556. A communication from the Management and Program Analyst, Federal

EC-5579: A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Airplanes:

Amendment 39-22178'' ((RIN2120-AA64) (Docket No. FAA-2022-1076)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5580. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters; Amendment 39-22182'' ((RIN2120-AA64) (Docket No. FAA-2022-0805)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5581. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes; Amendment 39-22190'' ((RIN2120-AA64) (Docket No. FAA-2022-1169)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5582. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, inc., Airplanes; Amendment 39-22149'' ((RIN2120-AA64) (Docket No. FAA-2022-0681)) received in the Office of the President of the Senate on October 11, 2022; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. REED for the Committee on Armed Services.

*Navy nomination of Rear Adm. Alvin Holsey, to be Vice Admiral.

*Air Force nomination of Lt. Gen. Thomas A. Bussiere, to be General.

*Space Force nomination of Maj. Gen. DeAnna M. Burt, to be Lieutenant General.

Air Force nominations beginning with Col. Lisa M. Ahaesy and ending with Col. Kristof K. Sills, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2022.

Air Force nominations beginning with Col. Steven A. Breiffelder and ending with Col. Jason S. Christman, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2022.

Air Force nominations beginning with Brig. Gen. Denise M. Donnell and ending with Brig. Gen. Joseph R. Harris II, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2022.

Air Force nominations beginning with Brig. Gen. Troy T. Daniels and ending with Brig. Gen. Terrence L. Koudelka, Jr., which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2022.

Air Force nominations beginning with Brig. Gen. Konata A. Crumbly and ending with Brig. Gen. Bryan J. Teff, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2022.

Air Force nominations beginning with Col. Paul M. Bishop and ending with Col. Keith C. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2022.

Air Force nominations beginning with Col. Christopher G. Batterton and ending with

Col. Trace N. Thomas, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2022.

Air Force nominations beginning with Col. Christopher A. Eason and ending with Col. Justin T. Wagner, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2022.

Air Force nominations beginning with Col. Kenneth A. Borchers and ending with Col. Todd E. Swass, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2022.

Air Force nominations beginning with Col. John A. Conley and ending with Col. Brian J. Tollefson, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2022.

*Air Force nomination of Lt. Gen. James C. Slife, to be Lieutenant General.

Air Force nomination of Col. Christopher A. Brown, to be Brigadier General.

*Army nomination of Lt. Gen. Antonio A. Aguto, Jr., to be Lieutenant General.

Army nomination of Col. Warren L. Wells, to be Brigadier General.

Army nominations beginning with Brig. Gen. William E. Crane and ending with Brig. Gen. Shawn P. Manke, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2022.

Army nominations beginning with Brig. Gen. Levon E. Cumpton and ending with Brig. Gen. Gregory C. Knight, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2022.

Army nominations beginning with Brig. Gen. Miguel Aguilar and ending with Brig. Gen. Richard D. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2022. (minus 3 nominees: Brig. Gen. Anthony H. Adrian; Brig. Gen. Ronald A. Cupples; Brig. Gen. Diane L. Dunn)

Army nomination of Brig. Gen. Farin D. Schwartz, to be Major General.

Army nominations beginning with Col. Jerry E. Baird, Jr. and ending with Col. Richard J. Zeigler III, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2022.

Army nominations beginning with Col. Matthew M. Bacon and ending with Col. Sally F. Petty, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2022.

Marine Corps nominations beginning with Brig. Gen. John F. Kelliher III and ending with Brig. Gen. William E. Souza III, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2022.

Marine Corps nominations beginning with Col. Raymond L. Adams and ending with Col. John K. Jarrard, which nominations were received by the Senate and appeared in the Congressional Record on November 14, 2022.

Marine Corps nomination of Col. Kevin S. Woodard, to be Brigadier General.

*Navy nomination of Rear Adm. John F. Wade, to be Vice Admiral.

*Army nomination of Maj. Gen. Christopher O. Mohan, to be Lieutenant General.

Mr. REED. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Allen Seth Abrams and ending with Thomas Benjamin Williams, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2022.

Air Force nominations beginning with Romi R. Abouzedan and ending with Timothy J. Zerwic, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2022.

Air Force nomination of Christopher D. Coulson, to be Colonel.

Air Force nomination of Michael A. Hyland, to be Colonel.

Air Force nomination of Stephanie L. M. Croyle, to be Major.

Air Force nomination of Richard R. Burges, to be Major.

Air Force nominations beginning with Ronald B. Bellamy and ending with Lena S. Freienmuth, which nominations were received by the Senate and appeared in the Congressional Record on November 15, 2022.

Air Force nomination of Michael S. Pontius, to be Colonel.

Air Force nominations beginning with William James Acostaterejo and ending with John Andre Zolan, which nominations were received by the Senate and appeared in the Congressional Record on November 15, 2022.

Air Force nomination of Duane G. McCrory, to be Lieutenant Colonel.

Army nomination of Nicholas E. Park, to be Major.

Army nomination of Wilfredo P. Salada, Jr., to be Colonel.

Army nomination of Diego A. Rincon, to be Major.

Army nomination of David L. Gutierrez, to be Major.

Army nomination of Jeffrey Thompson, Jr., to be Major.

Army nomination of Phillip S. Stone, to be Colonel.

Army nomination of Meghann E. Sullivan, to be Colonel.

Army nomination of Joseph T. Scholz, to be Lieutenant Colonel.

Army nomination of Tracie D. Thornton, to be Colonel.

Army nomination of Thomas L. Husted, to be Colonel.

Army nominations beginning with Christopher L. Andersen and ending with Robert P. Venton, which nominations were received by the Senate and appeared in the Congressional Record on November 15, 2022.

Army nomination of James A. Silsby III, to be Lieutenant Colonel.

Army nomination of Peter J. Van Howe, to be Lieutenant Colonel.

Army nomination of Patricia J. Oelschlager, to be Lieutenant Colonel.

Army nomination of Michael D. Valletta, to be Lieutenant Colonel.

Army nomination of Matthew F. Cohen, to be Lieutenant Colonel.

Army nominations beginning with Anece L. Baxterwhite and ending with Patrick M. Walsh, which nominations were received by the Senate and appeared in the Congressional Record on November 15, 2022.

Army nomination of William D. Ward III, to be Colonel.

Army nomination of Bryan R. Gibby, to be Colonel.

Army nomination of Eugene J. Gregory, to be Colonel.

Army nomination of Eden E. Coelho, to be Colonel.

Army nomination of Adam L. Sanders, to be Major.

Army nomination of Sarah B. Snyder, to be Lieutenant Colonel.

Army nomination of Erik D. Masick, to be Lieutenant Colonel.

Army nomination of Jillian R. Guy, to be Major.

Army nomination of Ayodele O. Lawson, to be Colonel.

Army nominations beginning with Michael E. Bahm and ending with D016157, which nominations were received by the Senate and appeared in the Congressional Record on November 15, 2022.

Army nomination of Daniel P. Morgan, to be Major.

Army nomination of Thomas J. Souza, to be Major.

Army nomination of Jose A. Quintero, to be Major.

Army nomination of Javier J. Hernandez, to be Major.

Marine Corps nomination of Jennifer M. Farina, to be Colonel.

Marine Corps nomination of Thomas J. Watts II, to be Major.

Navy nomination of Luke J. Patterson, to be Captain.

Navy nominations beginning with William J. Uffmann III and ending with Geoffrey S. Raynor, which nominations were received by the Senate and appeared in the Congressional Record on September 29, 2022.

Navy nomination of Rama K. Mutyala, to be Commander.

Navy nomination of Lashaundra S. Collins, to be Lieutenant Commander.

Navy nomination of Andrew P. Gorie, to be Lieutenant Commander.

Navy nomination of Daniel W. Rhodeback, to be Lieutenant Commander.

Navy nomination of Michael J. Arnold, to be Lieutenant Commander.

Navy nomination of Paul T. Hill, to be Lieutenant Commander.

Navy nomination of Taibatu E. Obasi, to be Lieutenant Commander.

Navy nomination of Jenniffer M. Rajner, to be Lieutenant Commander.

Navy nominations beginning with Jose A. Aranda and ending with Daniel J. Wilkinson, which nominations were received by the Senate and appeared in the Congressional Record on November 17, 2022.

Navy nomination of Patric C. Jang, to be Lieutenant Commander.

Navy nomination of Charles J. Osier, Jr., to be Captain.

Navy nomination of James C. Hanlon, to be Captain.

Navy nomination of Jarrett C. Walke, to be Commander.

Navy nomination of Amy M. Respondek, to be Lieutenant Commander.

Navy nomination of Andrew S. Gibbons, to be Captain.

Space Force nomination of Kirsten N. Pecua, to be Major.

By Mr. CARPER for the Committee on Environment and Public Works.

*Beth Pritchard Geer, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2026.

*Shailen P. Bhatt, of Michigan, to be Administrator of the Federal Highway Administration.

*Juan Eduardo Sanchez, of Texas, to be Federal Cochairperson of the Southwest Border Regional Commission.

By Mrs. MURRAY for the Committee on Health, Education, Labor, and Pensions.

*Karla Ann Gilbride, of Maryland, to be General Counsel of the Equal Employment Opportunity Commission for a term of four years.

*Jessica Looman, of Minnesota, to be Administrator of the Wage and Hour Division, Department of Labor.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to

respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BOOKER:

S. 5136. A bill to protect employees from discrimination based on family caregiver responsibilities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE (for himself, Mr. LUJÁN, Ms. KLOBUCHAR, and Mrs. FISCHER):

S. 5137. A bill to amend the Rural Electrification Act of 1936 to reauthorize and improve the ReConnect loan and grant program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BOOKER:

S. 5138. A bill to establish the Office of High-Risk AFO Disaster Mitigation and Enforcement in the Department of Agriculture, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BLUMENTHAL (for himself and Mr. CASEY):

S. 5139. A bill to establish criminal penalties for failing to inform and warn of serious dangers; to the Committee on the Judiciary.

By Mr. TESTER (for himself, Mr. HOEVEN, Mr. LUJÁN, and Mr. CRAMER):

S. 5140. A bill to provide for rental assistance for homeless or at-risk Indian veterans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN (for himself and Mr. BLUMENTHAL):

S. 5141. A bill to direct the Director of the Bureau of Justice Statistics to establish a database with respect to corporate offenses, and for other purposes; to the Committee on the Judiciary.

By Ms. BALDWIN (for herself and Ms. COLLINS):

S. 5142. A bill to amend title 10, United States Code, to eliminate certain health care charges for members of the Selected Reserve eligible for TRICARE Reserve Select, and for other purposes; to the Committee on Armed Services.

By Ms. STABENOW:

S. 5143. A bill to amend title 38, United States Code, to improve the assignment of patient advocates at medical facilities of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. STABENOW:

S. 5144. A bill to amend title 38, United States Code, to increase the mileage rate offered by the Department of Veterans Affairs through their Beneficiary Travel program for health related travel, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. FISCHER (for herself, Ms. KLOBUCHAR, Mr. GRASSLEY, Ms. DUCKWORTH, Mr. THUNE, Ms. SMITH, Ms. ERNST, Mr. BROWN, Mr. MARSHALL, Mr. DURBIN, Mr. CRAMER, Ms. BALDWIN, Mr. SASSE, and Mr. ROUNDS):

S. 5145. A bill to amend the Clean Air Act with respect to the ethanol waiver for Reid

Vapor Pressure under that Act, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MANCHIN:

S. 5146. A bill to provide for the sealing of records relating to Federal nonviolent criminal offenses related to substance use disorders, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCOTT of South Carolina (for himself, Mr. BOOKER, and Mr. WARNOCK):

S. Res. 851. A resolution celebrating the 45th anniversary of the Senate Black Legislative Staff Caucus and its achievements in the Senate; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 190

At the request of Mr. BLUMENTHAL, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 190, a bill to amend chapter 44 of title 18, United States Code, to require the safe storage of firearms, and for other purposes.

S. 634

At the request of Ms. COLLINS, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 634, a bill to support and expand civic engagement and political leadership of adolescent girls around the world, and other purposes.

S. 736

At the request of Mrs. FEINSTEIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 736, a bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes.

S. 828

At the request of Mr. BARRASSO, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 828, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 1040

At the request of Mr. MENENDEZ, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1040, a bill to amend title 38, United States Code, to expand eligibility for hospital care, medical services, and nursing home care from the Department of Veterans Affairs to include veterans of World War II.

S. 1079

At the request of Mr. HEINRICH, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1079, a bill to award a Congressional Gold Medal to the troops from

the United States and the Philippines who defended Bataan and Corregidor, in recognition of their personal sacrifice and service during World War II.

S. 1408

At the request of Mr. MARKEY, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Texas (Mr. CORNYN), the Senator from Montana (Mr. TESTER) and the Senator from Wyoming (Ms. LUMMIS) were added as cosponsors of S. 1408, a bill to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

S. 1521

At the request of Mr. KAINE, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1521, a bill to require certain civil penalties to be transferred to a fund through which amounts are made available for the Gabriella Miller Kids First Pediatric Research Program at the National Institutes of Health, and for other purposes.

S. 1942

At the request of Ms. STABENOW, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 1942, a bill to standardize the designation of National Heritage Areas, and for other purposes.

S. 2202

At the request of Mr. MORAN, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 2202, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income interest received on certain loans secured by agricultural real property.

S. 2256

At the request of Mr. DAINES, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 2256, a bill to amend the Internal Revenue Code of 1986 to limit the charitable deduction for certain qualified conservation contributions.

S. 2306

At the request of Ms. CANTWELL, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2306, a bill to amend the Internal Revenue Code of 1986 to support upgrades at existing hydroelectric dams and the removal of obsolete river obstructions to improve the health of the Nation's rivers and associated wildlife habitat and increase clean energy production, public safety, and for other purposes.

S. 2422

At the request of Mr. CARDIN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 2422, a bill to amend the Public Health Service Act to establish a grant program supporting trauma center violence intervention and violence prevention programs, and for other purposes.

S. 3199

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3199, a bill to promote peace and democracy in Ethiopia, and for other purposes.

S. 3386

At the request of Mr. MENENDEZ, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 3386, a bill to prevent, treat, and cure tuberculosis globally.

S. 3451

At the request of Mr. HAGERTY, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 3451, a bill to include certain computer-related projects in the Federal permitting program under title XLI of the FAST Act, and for other purposes.

S. 3472

At the request of Mr. KENNEDY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3472, a bill to conserve global bear populations by prohibiting the importation, exportation, and interstate trade of bear viscera and items, products, or substances containing, or labeled or advertised as containing, bear viscera, and for other purposes.

S. 3508

At the request of Mr. BLUMENTHAL, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 3508, a bill to posthumously award a congressional gold medal to Constance Baker Motley.

S. 3607

At the request of Mr. WHITEHOUSE, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 3607, a bill to award a Congressional gold medal, collectively, to the First Rhode Island Regiment, in recognition of their dedicated service during the Revolutionary War.

S. 3667

At the request of Mr. BROWN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3667, a bill to amend title 54, United States Code, to establish within the National Park Service the United States African-American Burial Grounds Preservation Program, and for other purposes.

S. 3957

At the request of Mr. CASEY, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Tennessee (Mrs. BLACKBURN) were added as cosponsors of S. 3957, a bill to amend the Infrastructure Investment and Jobs Act to make certain activities eligible for grants from the Abandoned Mine Reclamation Fund, and for other purposes.

S. 4009

At the request of Mr. CASEY, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Maine (Ms. COLLINS) were added

as cosponsors of S. 4009, a bill to amend title XVIII of the Social Security Act to rebase the calculation of payments for sole community hospitals and Medicare-dependent hospitals, and for other purposes.

S. 4168

At the request of Mr. PORTMAN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 4168, a bill to amend title 54, United States Code, to reauthorize the National Park Foundation.

S. 4188

At the request of Mr. WHITEHOUSE, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 4188, a bill to amend title 28, United States Code, to provide for a code of conduct for justices of the Supreme Court of the United States, and for other purposes.

S. 4416

At the request of Mr. CASSIDY, the name of the Senator from Missouri (Mr. HAWLEY) was added as a cosponsor of S. 4416, a bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for charitable donations to nonprofit organizations providing education scholarships to qualified elementary and secondary students.

S. 4473

At the request of Mr. OSSOFF, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 4473, a bill to amend title 10, United States Code, to extend the authorization of use of depot working capital funds for unspecified minor military construction projects for the revitalization and recapitalization of defense industrial base facilities.

S. 4587

At the request of Mrs. GILLIBRAND, the names of the Senator from Montana (Mr. DAINES), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Massachusetts (Ms. WARREN) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 4587, a bill to award a Congressional Gold Medal to Benjamin Berell Ferencz, in recognition of his service to the United States and international community during the post-World War II Nuremberg trials and lifelong advocacy for international criminal justice and rule of law.

S. 4592

At the request of Ms. HASSAN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 4592, a bill to encourage the migration of Federal Government information technology systems to quantum-resistant cryptography, and for other purposes.

S. 4649

At the request of Mr. CASEY, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from South Dakota (Mr. ROUNDS), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from California

(Mrs. FEINSTEIN), the Senator from Maine (Mr. KING), the Senator from Oregon (Mr. MERKLEY) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 4649, a bill to amend the Global Food Security Act of 2016 to improve the comprehensive strategic approach for United States foreign assistance to developing countries to reduce global poverty and hunger, achieve food and nutrition security, promote inclusive, sustainable, agricultural-led economic growth, improve nutritional outcomes, especially for women and children, build resilience among vulnerable populations, and for other purposes.

S. 4756

At the request of Mr. KENNEDY, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 4756, a bill to amend the disclosures of foreign gifts under the Higher Education Act of 1965 to provide special rules relating to China-affiliated organizations.

S. 4851

At the request of Mrs. CAPITO, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Florida (Mr. SCOTT) were added as cosponsors of S. 4851, a bill to direct the Secretary of Health and Human Services to carry out a national project to prevent and cure Parkinson's, to be known as the National Parkinson's Project, and for other purposes.

S. 4859

At the request of Mr. CORNYN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 4859, a bill to reauthorize the Project Safe Neighborhoods Grant Program Authorization Act of 2018, and for other purposes.

S. 4877

At the request of Mr. MERKLEY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 4877, a bill to amend Public Law 91-378 to authorize activities relating to Civilian Conservation Centers, and for other purposes.

S. 4974

At the request of Mr. PADILLA, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 4974, a bill to amend section 249 of the Immigration and Nationality Act to render available to certain long-term residents of the United States the benefit under that section.

S. 5037

At the request of Mr. BARRASSO, the name of the Senator from Missouri (Mr. HAWLEY) was added as a cosponsor of S. 5037, a bill to prohibit funding for the Montreal Protocol on Substances that Deplete the Ozone Layer until China is no longer defined a developing country.

S. 5070

At the request of Ms. COLLINS, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 5070, a bill to authorize the

Secretary of Agriculture to provide grants to States to address contamination by perfluoroalkyl and polyfluoroalkyl substances on farms, and for other purposes.

S. 5089

At the request of Mr. BOOZMAN, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 5089, a bill to amend title 38, United States Code, to reinstate criminal penalties for persons charging veterans unauthorized fees relating to claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 5098

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 5098, a bill to ensure that significantly more students graduate college with the international knowledge and experience essential for success in today's global economy through the establishment of the Senator Paul Simon Study Abroad Program in the Department of State.

S. 5130

At the request of Mr. SULLIVAN, the names of the Senator from Montana (Mr. DAINES), the Senator from Wyoming (Mr. BARRASSO) and the Senator from Wyoming (Ms. LUMMIS) were added as cosponsors of S. 5130, a bill to amend the Camp Lejeune Justice Act of 2022 to appropriately limit attorney's fees.

S. RES. 579

At the request of Mr. CRUZ, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. Res. 579, a resolution recognizing the 100th anniversary of Big Bertha, one of the largest bass drums in use by a university in the United States and located at The University of Texas at Austin.

S. RES. 838

At the request of Mr. SCHATZ, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 838, a resolution expressing concern about the spreading problem of book banning and the proliferation of threats to freedom of expression in the United States.

AMENDMENT NO. 6254

At the request of Ms. CORTEZ MASTO, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of amendment No. 6254 intended to be proposed to H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THUNE (for himself, Mr. LUJÁN, Ms. KLOBUCHAR, and Mrs. FISCHER):

S. 5137. A bill to amend the Rural Electrification Act of 1936 to reauthorize and improve the ReConnect loan and grant program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 5137

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Rural Internet Improvement Act of 2022".

SEC. 2. STREAMLINING BROADBAND AUTHORITIES.

(a) IN GENERAL.—Section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) is amended—

(1) by striking the section heading and inserting "RECONNECT PROGRAM";

(2) in subsection (b)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2) the following:

"(3) RECONNECT PROGRAM.—The term 'ReConnect Program' means the program established under this section.;"

(3) in subsection (c)—

(A) in paragraph (2)(A)—

(i) in clause (i)—

(I) in subclause (I), by striking "10-Mbps" and inserting "25-Mbps"; and

(II) in subclause (II), by striking "1-Mbps" and inserting "3-Mbps"; and

(ii) by striking clause (iv) and inserting the following:

"(iv) give priority to applications from applicants that have demonstrated the technical and financial experience required to construct and operate broadband networks.;"

(B) by adding at the end the following:

"(5) APPLICATIONS.—The Secretary shall establish an application process for grants, loans, and loan guarantees under this section that—

"(A) reduces the amount of data required to apply by limiting the required data to only—

"(i) the entity applying, excluding any parent or affiliate entity that is not a party to the application, to the greatest extent practicable; and

"(ii) the geographic area affected by the application, if a parent or affiliate is not a party to the application;

"(B) simplifies the data interfaces for submission to the greatest extent practicable; and

"(C) allows all applicants, regardless of whether an applicant is publicly traded, to rely on a bond rating of at least investment grade (when bond ratings are available) in place of financial documentation.;"

(4) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking "subsection (j)" and inserting "subsection (1)"; and

(ii) by adding at the end the following:

"(C) GRANT REQUIREMENTS.—The Secretary—

"(i) shall not restrict the eligibility of an entity for a grant under this section based on the legal structure of the entity;

"(ii) shall allow entities to apply for a grant under this section without regard to, or preference for, the legal structure of an entity;

“(iii) in determining the financial ability of an entity to carry out a project using a grant under this section, shall allow the entity to demonstrate that financial ability by methods that—

“(I) the Secretary determines to be the least burdensome; and

“(II) subject to clause (v), are not limited to providing the Federal Government an exclusive first lien on all grant-funded assets during the service obligation of the grant;

“(iv) subject to clause (v), in determining the required collateral to secure grant funds or to secure performance during the service obligation of a grant, shall allow an awardee to offer alternative security, such as a letter of credit, in lieu of providing the Federal Government an exclusive first lien on all grant-funded assets; and

“(v) if the Secretary reasonably determines that alternative methods or alternative security established under clause (iii)(II) or (iv) are insufficient to secure performance with respect to a project under this section—

“(I) may require an entity to provide the Federal Government an exclusive first lien all grant-funded assets during the service obligation of the grant; and

“(II) shall release that lien after the Secretary determines that the entity is performing to the satisfaction of the Secretary.”; and

(B) in paragraph (2)—

(i) in subparagraph (A)(i), by striking “50” and inserting “90”; and

(ii) by adding at the end the following:

“(D) OBLIGATIONS TO PROVIDE BROADBAND SERVICE IN THE SAME SERVICE TERRITORY.—

“(i) DEFINITION OF BROADBAND INFRASTRUCTURE.—In this subparagraph, the term ‘broadband infrastructure’ means any cables, fiber optics, wiring, or other permanent infrastructure that is integral to the structure, including fixed wireless infrastructure, that—

“(I) is capable of providing access to internet connections in individual locations; and

“(II) offers an advanced telecommunications capability (as defined in section 706(d) of the Telecommunications Act of 1996 (47 U.S.C. 1302(d))).

“(ii) OTHER PROVIDERS.—The Secretary shall consider a proposed service territory with respect to which an eligible entity submits an application to carry out a project under this section to be served by broadband service if a broadband service provider other than that eligible entity is subject to an obligation by a Federal, State, or local government entity to build broadband infrastructure and offer broadband service in that service territory, subject to conditions—

“(I) under a Federal, State, or local funding award program; or

“(II) otherwise required by the Federal, State, or local government entity.

“(iii) OTHER FUNDING.—Subject to clause (iv), the Secretary shall not be required to consider a proposed service territory with respect to which an eligible entity submits an application to carry out a project under this section to be served by broadband service if that eligible entity has accepted an obligation under a Federal, State, or local funding award program to build broadband infrastructure and offer broadband service in that service territory, if the proposed project under this section—

“(I) would not be duplicative of the obligation under the other award program; and

“(II) would build broadband infrastructure that results in faster speeds or expedited milestones of deployment of broadband infrastructure in that service territory, as compared to the obligation under the other award program.

“(iv) OTHER OBLIGATIONS FOR LOWER TRANSMISSION CAPACITY.—The Secretary shall consider a proposed service territory with respect to which an eligible entity submits an application to carry out a project under this section to be unserved by broadband service if an obligation under another award program described in clause (iii) would not provide broadband service of at least—

“(I) a 25-Mbps downstream transmission capacity; and

“(II) a 3-Mbps upstream transmission capacity.

“(E) REQUIREMENTS FOR FUNDING.—

“(i) AFFILIATE OWNED AND OPERATED NETWORKS.—A grant, loan, or loan guarantee under this section may be used to construct networks that will be owned and operated by an affiliate of the eligible entity receiving the grant, loan, or loan guarantee, subject to the condition that the eligible entity, the affiliate, or both, as the Secretary determines to be necessary, shall provide adequate security for the grant, loan, or loan guarantee.

“(ii) NEGATIVE COVENANTS AND CONDITIONS.—To the greatest extent practicable, a project carried out using a grant, loan, or loan guarantee under this section shall not add any new negative covenants or conditions to the grant, loan, or loan guarantee agreement that were not previously disclosed to the eligible entity at the time of application for the grant, loan, or loan guarantee.

“(iii) OWNERSHIP OF SYSTEMS.—

“(I) IN GENERAL.—A network constructed with a grant, loan, or loan guarantee under this section may be transferred to an unaffiliated provider that agrees—

“(aa) to assume the service obligation; and

“(bb) to provide appropriate and sufficient security for that network.

“(II) DETERMINATION.—The Secretary shall not unreasonably withhold consent to enter into an appropriate agreement described in subclause (I) with the transferee based on an evaluation by the Secretary of the ability of the transferee to assume the agreement and provide security described in item (bb) of that subclause.

“(iv) REPORTING AND AUDITING.—The Secretary shall—

“(I) simplify, to the maximum extent practicable, ongoing reporting and auditing requirements for recipients of a grant, loan, or loan guarantee under this section; and

“(II) allow a recipient described in subclause (I) whose financial information is consolidated with the financial information of a parent entity to rely on that consolidated financial information in complying with the requirements described in that subclause if the parent entity is providing a guarantee on behalf of a subsidiary of the parent entity with respect to the grant, loan, or loan guarantee.

“(v) PROCUREMENT AND CONTRACTING.—The Secretary—

“(I) shall simplify, to the maximum extent practicable, requirements for recipients of a grant, loan, or loan guarantee under this section relating to the procurement of materials and retention of contractors; and

“(II) shall not unreasonably restrict the ability of a recipient described in subclause (I) to obtain goods and services from affiliated entities.”;

(5) in subsection (e)(1)—

(A) in subparagraph (A), by striking “25-Mbps” and inserting “100-Mbps”; and

(B) in subparagraph (B), by striking “3-Mbps” and inserting “20-Mbps”;

(6) by redesignating subsections (j) and (k) as subsections (l) and (m), respectively;

(7) by inserting after subsection (i) the following:

“(j) REGULATIONS.—The Secretary shall issue regulations to carry out this section in

accordance with section 553 of title 5, United States Code.

“(k) ANNUAL REPORTS.—Not later than 120 days after the date of enactment of the Rural Internet Improvement Act of 2022, and not less frequently than annually thereafter, the Secretary shall—

“(1) publish a report describing—

“(A) the distribution of amounts made available under the ReConnect Program for the preceding year;

“(B) the number of locations at which broadband service was made available using amounts under the ReConnect Program for the preceding year;

“(C) the number of locations described in subparagraph (B) at which broadband service was used; and

“(D) the highest level of broadband service made available at each location described in subparagraph (B); and

“(2) submit the report described in paragraph (1) to—

“(A) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

“(B) the Committee on Commerce, Science, and Transportation of the Senate;

“(C) the Committee on Agriculture of the House of Representatives; and

“(D) the Committee on Energy and Commerce of the House of Representatives.”; and

(8) in subsection (l) (as so redesignated), in paragraph (1), by striking “\$350,000,000 for each of fiscal years 2019 through 2023” and inserting “such sums as are necessary for each fiscal year”.

(b) SUNSET.—Beginning on the date that is 120 days after the date of enactment of this Act, section 779 of division A of the Consolidated Appropriations Act, 2018 (Public Law 115-141; 132 Stat. 399), shall have no force or effect.

(c) TRANSFER OF AMOUNTS.—The unobligated balance, as of the date that is 120 days after the date of enactment of this Act, of any amounts made available to carry out the pilot program described in section 779 of division A of the Consolidated Appropriations Act, 2018 (Public Law 115-141; 132 Stat. 399)—

(1) is transferred to, and merged with, amounts made available to carry out section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb); and

(2) shall remain available, until expended, and without further appropriation, to carry out the ReConnect Program established under that section.

(d) EFFECT.—Title VI of the Rural Electrification Act of 1936 (7 U.S.C. 950bb et seq.) is amended by adding at the end the following:

“SEC. 607. EFFECT.

“Nothing in this title authorizes the Secretary to regulate rates charged for broadband service.”.

(e) PUBLIC NOTICE, ASSESSMENTS, AND REPORTING REQUIREMENTS.—Section 701 of the Rural Electrification Act of 1936 (7 U.S.C. 950cc) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A), by inserting “, including a complete shapefile map” after “applicant”; and

(B) in paragraph (2)(D), by striking “(c)” and inserting “(d)”;

(2) by redesignating subsections (b) through (e) as subsections (c) through (f), respectively;

(3) by inserting after subsection (a) the following:

“(b) CHALLENGE PROCESS.—

“(1) IN GENERAL.—The Secretary shall establish a transparent, evidence based, and expeditious process for challenging, with respect to any area for which assistance is sought under an application described in subsection (a)(1), whether that area has access to broadband service.

“(2) NOTICE.—The Secretary shall make publicly available on the website of the Department of Agriculture a written notice describing—

“(A) the decision of the Secretary on each challenge submitted under paragraph (1); and
“(B) the reasons for each decision described in subparagraph (A).”; and

(4) by adding at the end the following:

“(g) PUBLIC NOTICE OF ELIGIBLE FUNDING AREAS.—Prior to making available to the public the database under subsection (a), the Secretary shall make available to the public a fully searchable database on the website of the Rural Utilities Service that contains information on areas eligible for assistance under retail broadband projects that are administered by the Secretary in accordance with the maps created by the Federal Communications Commission under section 802(c)(1) of the Communications Act of 1934 (47 U.S.C. 642(c)(1)).”.

(f) FEDERAL BROADBAND PROGRAM COORDINATION.—Section 6212 of the Agriculture Improvement Act of 2018 (7 U.S.C. 950bb-6) is amended—

(1) by redesignating subsections (a), (b), (c), and (d) as subsections (b), (c), (e), and (a), respectively, and moving the subsections so as to appear in alphabetical order;

(2) in subsection (a) (as so redesignated), in paragraph (3), by striking “section 601(b)(3) of the Rural Electrification Act of 1936” and inserting “section 601(b) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb(b))”; and

(3) in subsection (c) (as so redesignated), in paragraph (1)—

(A) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—The Secretary”; and

(B) by adding at the end the following:

“(B) RECONNECT PROGRAM.—On awarding a grant, loan, or loan guarantee under the Reconnect Program established under section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb), the Secretary shall notify the Commission of that award.”; and

(4) by inserting after subsection (c) (as so redesignated) the following:

“(d) MEMORANDUM OF UNDERSTANDING RELATING TO OUTREACH.—The Secretary shall enter into a memorandum of understanding with the Assistant Secretary and the Commission to facilitate outreach to residents and businesses in rural areas, including—

“(1) to evaluate the broadband service needs in rural areas;

“(2) to inform residents and businesses in rural areas of available Federal programs that promote broadband access, broadband affordability, and broadband inclusion; and

“(3) for such additional goals as the Secretary, the Assistant Secretary, and the Commission determine to be appropriate.”.

By Mr. DURBIN (for himself and Mr. BLUMENTHAL):

S. 5141. A bill to direct the Director of the Bureau of Justice Statistics to establish a database with respect to corporate offenses, and for other purposes; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 5141

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Corporate Crime Database Act of 2022”.

SEC. 2. CORPORATE CRIME DATABASE AT THE BUREAU OF JUSTICE STATISTICS.

(a) IN GENERAL.—Part C of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10131 et seq.) is amended by adding at the end the following:

“SEC. 305. CORPORATE CRIME DATABASE.

“(a) DEFINITIONS.—In this section:

“(1) BUSINESS ENTITY.—The term ‘business entity’ means a corporation, association, partnership, limited liability company, limited liability partnership, or other legal entity.

“(2) CORPORATE OFFENSE.—The term ‘corporate offense’ means—

“(A) a violation or alleged violation of Federal law committed by—

“(i) a business entity; or

“(ii) an individual employed by a business entity within the conduct of the individual’s occupational role; and

“(B) any other violation determined by the Director to be a corporate offense.

“(3) DIRECTOR.—The term ‘Director’ means the Director of the Bureau.

“(4) ENFORCEMENT ACTION.—The term ‘enforcement action’ includes any concluded administrative, civil, or criminal enforcement action or any declination, settlement, deferred prosecution agreement, or non-prosecution agreement entered into by a Federal agency to enforce a law or regulation.

“(5) FEDERAL AGENCY.—The term ‘Federal agency’ has the meaning given the term ‘agency’ in section 551 of title 5, United States Code.

“(b) ESTABLISHMENT.—Beginning not later than 1 year after the date of enactment of the Corporate Crime Database Act of 2022, the Director shall—

“(1) collect, aggregate, and analyze information regarding enforcement actions taken with respect to corporate offenses; and

“(2) publish on the internet website of the Bureau a database of the enforcement actions described in paragraph (1).

“(c) INFORMATION INCLUDED.—The database established under subsection (b) shall include the following information on an enforcement action with respect to corporate offenses:

“(1) Each business entity or individual identified by the enforcement action.

“(2) The employer of an individual identified under paragraph (1), as determined relevant by the Director.

“(3) The parent company of a business entity identified under paragraph (1) or the parent company of any employer identified under paragraph (2), as determined relevant by the Director.

“(4) The type of offense or alleged offense committed by the business entity or individual.

“(5) Any relevant statute or regulation violated by the business entity or individual.

“(6) Each Federal agency bringing the enforcement action.

“(7) The outcome of the enforcement action, if any, including all documentation relevant to the outcome.

“(8) An unique identifier for each business entity, individual, employer, or parent company identified by the enforcement action.

“(9) Any additional information the Director determines necessary to carry out the purposes of this section.

“(d) INFORMATION COLLECTION BY DIRECTOR.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Corporate Crime Database Act of 2022, the Director shall establish guidance for the collection of information from each Federal agency that carries out an enforcement action with respect to corporate offenses, including identification of each Federal agency that shall submit information to the Director and the

manner in which, time at which, and frequency with which the information shall be submitted.

“(2) TIMING OF INFORMATION INCLUDED.—To the extent to which information is available, the database established under subsection (b) shall include the information described in subsection (c) on each enforcement action with respect to corporate offenses taken by a Federal agency before, on, or after the date of enactment of the Corporate Crime Database Act of 2022.

“(e) PUBLICATION DETAILS.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Corporate Crime Database Act of 2022, the Director shall publish on the internet website of the Bureau the database established under subsection (b) in a format that is searchable, downloadable, and accessible to the public.

“(2) UPDATE OF INFORMATION.—The Director shall update the information included in the database established under subsection (b) each time the information is collected under subsection (d).

“(f) REPORT REQUIRED.—Not later than 1 year after the publication of the database established under subsection (b), and annually thereafter, the Director shall submit to Congress a report including—

“(1) a description of the data collected and analyzed under this section related to corporate offenses, including an analysis of recidivism, offenses and alleged offenses, and enforcement actions;

“(2) an estimate of the impact of corporate offenses on victims and the public; and

“(3) recommendations, developed in consultation with the Attorney General, for legislative or administrative actions to improve the ability of Federal agencies to monitor, respond to, and deter instances of corporate offenses.”.

(b) CHIEF DATA OFFICER COUNCIL.—Section 3520A(b) of title 44, United States Code, is amended—

(1) in paragraph (4), by striking “; and” and inserting a semicolon;

(2) in paragraph (5), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(6) identify ways in which a Federal agency (as defined in section 305 of title I of the Omnibus Crime Control and Safe Streets Act of 1968) that carries out an enforcement action (as defined in that section) with respect to a corporate offense (as defined in that section) can improve the collection, digitalization, tabulation, sharing, and publishing of information under that section, and the standardization of those processes, in order to carry out that section.”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 851—CELEBRATING THE 45TH ANNIVERSARY OF THE SENATE BLACK LEGISLATIVE STAFF CAUCUS AND ITS ACHIEVEMENTS IN THE SENATE

Mr. SCOTT of South Carolina (for himself, Mr. BOOKER, and Mr. WARNOCK) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 851

Whereas, in 1977, Jackie Parker and Ralph Everett had the vision and courage to improve the working conditions of Black Senate staffers;

Whereas the Senate Black Legislative Staff Caucus continues to promote diversity and inclusion within the Senate;

Whereas the Senate Black Legislative Staff Caucus recognizes each of the 11 current or former Senators of African-American descent;

Whereas the Senate Black Legislative Staff Caucus celebrates and commemorates the dedicated efforts of its members to promote a more diverse and representative government; and

Whereas the Senate Black Legislative Staff Caucus continues to fight for the justice and equality that started during the civil rights movement of the 1960s: Now, therefore, be it

Resolved, That the Senate honors the Senate Black Legislative Staff Caucus for its many contributions and commitment to enrich the Senate community.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHATZ. Mr. President, I have five requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Tuesday, November 29, 2022, at 10 a.m., to conduct a business meeting.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, November 29, 2022, at 2:30 p.m., to conduct a hearing on nominations.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, November 29, 2022, at 10:30 a.m., to conduct a business meeting.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, November 29, 2022, at 2:30 p.m., to conduct a closed briefing.

SUBCOMMITTEE ON COMPETITION POLICY, ANTITRUST, AND CONSUMER RIGHTS

The Subcommittee on Competition Policy, Antitrust, and Consumer Rights of the Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, November 29, 2022, at 3 p.m., to conduct a hearing.

COMMUNICATION FROM THE HONORABLE JAMES M. INHOFE

Mr. SCHATZ. Madam President, I understand the Chair has an announcement.

The PRESIDING OFFICER. The Chair lays before the Senate a commu-

nication regarding the resignation of Senator INHOFE.

Without objection, the letters will be printed in the RECORD and spread upon the Journal, as follows:

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, November 29, 2022.

Hon. KAMALA D. HARRIS,
President of the U.S. Senate,
Washington, DC.

DEAR VICE PRESIDENT HARRIS: Please find the attached document dated February 28, 2022 officially notifying Oklahoma Secretary of State Brian Bingman of my intent to resign my Senate seat on January 3, 2023. I further note that my resignation will be effective at 11:59AM on that date.

Sincerely,

JAMES M. INHOFE,
U.S. Senate.

U.S. SENATE,

Washington, DC, February 28, 2022.

Secretary of State BRIAN BINGMAN,
Oklahoma City, OK.

DEAR SECRETARY BINGMAN: It has been the greatest honor to serve the people of Oklahoma since I first entered public service in 1967, but after much prayer and consideration, Kay and I feel the time has come to stand aside and support the next generation of Oklahoma leaders.

Accordingly, pursuant to 26 O.S. §12-119, I am writing to inform you of my intention to retire from the United States Senate on January 3, 2023. Under state law 26 O.S. §12-101, this constitutes my irrevocable pledge to retire at the end of the 117th Congress, which allows the special election to be held concurrent with the existing election schedule.

I am excited to announce that I am endorsing Bartlesville-native and fellow Tulsan, Luke Holland in the special election to replace me, because Luke is a fierce conservative and the best person to continue my legacy of a strong national defense and investment in local infrastructure.

May God bless the great state of Oklahoma and the United States of America.

Sincerely,

JAMES M. INHOFE,
U.S. Senator.

DISCHARGE AND REFERRAL—S. 5068

Mr. SCHATZ. Madam President, I ask unanimous consent that S. 5068 be discharged from the Committee on Energy and Natural Resources and referred to the Committee on Indian Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR WEDNESDAY, NOVEMBER 30, 2022

Mr. SCHATZ. Madam President, I ask unanimous consent that when the Senate completes its business today, it recess until 10 a.m. on Wednesday, November 30, and that following the prayer and the pledge, the Journal of proceedings be approved to date, the Senate proceed to executive session to resume consideration of the Velez-Rive nomination; further, if any nominations are confirmed during Wednesday's session, the motions to recon-

sider be considered made and laid upon the table and the President be immediately notified of the Senate's actions.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHATZ. Madam President, for the information of the Senate, there will be two rollcall votes beginning at 11:30 a.m. and two rollcall votes at 2:15 p.m.

ORDER FOR RECESS

Mr. SCHATZ. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess under the previous order, following the remarks of Senator PORTMAN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Ohio.

UKRAINE

Mr. PORTMAN. Madam President, I come to the floor today for the 26th consecutive week that the Senate has been in session to highlight the very latest from Russia's illegal, unprovoked, and deadly assault on Ukraine. This continues to be a critical time for Ukraine and Ukraine's freedom fighters, and it is a classic fight for freedom. At this critical juncture, as the winter months approach, Russia's morale is flagging and Ukrainians are making steady gains on the battlefield. It is absolutely vital that the United States and our allies continue to stand by the people of Ukraine. We can't pull back now.

Ukraine, as you know, is a democracy. They are a great ally of ours. They just want to live in peace with their neighbors, including Russia.

Over the objections of 140 countries in the United Nations, Russia launched a brutal invasion of Ukraine on February 24. That was 9 months ago, and they haven't let up. While we celebrated Thanksgiving holiday this past week here in America, Ukrainians endured a deadly week of Russian attacks and bombardments on civilian population centers far, far from the frontlines. They didn't get a Thanksgiving break from the war.

Russia's military is actually continuing to bomb inside of Ukraine even today, civilian targets. What is interesting is that, at the same time, Ukraine is winning on the battlefield. Over half of Ukraine's Russian-occupied territory has now been liberated. Remember, at one point, Ukraine included the occupied territory up here near Kyiv, the capital, and all this area. Most of that area has now been liberated, and these are the areas where the Russians continue to occupy: Crimea, which they took back in 2014, parts of the Donetsk, and these additional areas. Even today, Ukrainians are making progress in these areas.

So on the battlefield, the Ukrainians, with our help and the help of 50 countries around the world, are making

progress. Yet, Russia continues to launch these missiles into Ukraine. Even in a place like Bakhmut, one place where the Russians were making some progress using mercenary forces—the Wagner Group, it is called—the monthslong assault by these Russian forces has turned into a grinding battle of attrition, and Russia has made little to no gains. So in the Bakhmut region, which is right here, even there, where the Wagner Group is fighting, they are not making significant progress at all.

By the way, back in April 2018, I visited Bakhmut. I was able to go there as part of a congressional factfinding trip, and the Ukrainian military allowed me to see the line of contact—actually go to that border area—the line of contact being between the occupied part in 2014 and the rest of Ukraine.

That is where I learned that the Ukrainians were going to fight, by the way, because I talked to a lot of the soldiers there about what was going on, and when there was discussion several years later about whether Ukrainians would fight if the Russians invaded, as it appeared clear they were going to do, I had no doubt that the Ukrainians were going to fight because I met these soldiers and talked to them, and they were hardened, and they knew what Russia had done to them and their families and their country and their freedom. And they have fought.

Here is a photo of me back in 2018 in this area of Bakhmut. As you can see, you have Ukrainian soldiers walking around freely.

Here is a photograph of Bakhmut today, to show you the difference. Back when I was there, there was sniper activity. You could hear some artillery being fired off in the distance, but today, months and months of Russia's brutal assault has led to Bakhmut looking like this.

Here is the Ukrainian soldier today.

It is a hellscape straight from the Western front of World War I, isn't it? Relentless artillery bombardments have forced soldiers into these trenches, just like they dug in France during World War I and World War II. This is the condition that Ukrainian soldiers are fighting in to defend their families, their freedom, and their country, and they are doing it as the temperature is falling and winter approaches. But they are undeterred, and they continue to fight hard.

The response to Ukraine making progress on the battlefield by Russia is to launch these missiles into the interior. I really think it is out of frustration. It is a cowardly approach. They can't win on the battlefield, so instead they are sitting back in Russia and bombing these civilian targets.

Here is one you can see. It is an energy grid in Ukraine. This is in western Ukraine. And it is just relentless bombing. They are killing people when they do this, by the way. They are not just taking out energy infrastructure; they are killing civilians, including energy

workers. Again, it is a cowardly approach. They are killing civilians and noncombatants, needlessly slaughtering men, women, and children. They are attacking residential areas, and they have been all along—apartment buildings, hospitals, community buildings—and, of course, causing cities to go dark as they go into winter, dark and cold.

When we were in Ukraine just a few weeks ago—Senator COONS and myself—Senator COONS and I went to get some additional information on the ground in Ukraine, and we got to see this firsthand.

This is in Kyiv, the capital of Ukraine. This is where the control center was for this energy utility, and this had happened just a few days before we got there. So the Russians are targeting very specifically energy to knock out electricity, knock out heating, knock out water.

That night, by the way, we had dinner with Ukrainian Parliamentarians. It was a dinner meeting to talk about what we could do as Congress and they can do as Parliamentarians to help the Ukrainian people right now. We had to have the meal by flashlight and candles because there was no electricity.

The systemic bombing of civilian infrastructure, throwing these Ukrainian cities in the dark and in the cold, without running water, has been met by heroic repair by Ukrainians. I imagine this is already repaired. But again, the Russians keep bombing. They need our help to be able to help prepare and provide more equipment as this equipment is being destroyed by the Russians.

Today, I was pleased to see that Secretary of State Antony Blinken announced an additional \$53 million from the United States to support efforts to rebuild this Ukrainian energy grid that keeps getting destroyed by the Russians. This package will include distribution transformers, circuit breakers, surge arresters, disconnectors, vehicles, and other key equipment. It brings U.S. support for Ukraine's energy infrastructure since February up to about \$145 million.

But again, it is not just us, and it shouldn't just be us. Our allies need to step forward to help Ukraine in this difficult moment as well, and they are. Finland, as an example I just saw, will send energy equipment to Ukraine this week. The EU, the European Union, will give Ukraine 200 transformers and 40 heavy generators to support the energy sector. The EU has probably given more than anyone else. This critical aid is needed because, again, these attacks just continue and continue.

The recent attacks in Kyiv, by the way, that we saw earlier when I was there 3 weeks ago, 300,000 Ukrainian citizens in Kyiv had lost power when we were there. I am told that there are currently about 130,000 Kyiv residents losing power, without electricity.

The Ukrainian military, again, has been making progress. They have had a huge success here in Kherson. This city

of Kherson in Ukrainian was the first provincial and only provincial capital the Russians occupied and the first major city that they took. The Ukrainian military carefully and over time orchestrated a great victory there, and about 3 weeks ago, it was liberated.

As this photo shows, Ukrainian citizens have welcomed these soldiers as heroes. You have probably seen some of this on TV news. They have just embraced these soldiers, and they put the Ukrainian flags back up in all the buildings. They have told these soldiers and others, including the investigators from the International Criminal Court, of the war crimes, the unthinkable war crimes that were committed by the Russian occupiers while they were there.

So the Russians were forced out of Kherson because of very effective work by the Ukrainians, using the weapons that we and the Europeans have provided them, including longer range missiles, taking out their supplies, taking out their ability to resupply themselves.

So what has happened now is that Russia, once they had left Kherson, has now started their bombing campaign, just nonstop bombing in the very city they occupied only a few weeks ago. So they are saying: If we can't have it, we are just going to bomb it into oblivion. Ukrainians are having now, after having lived through the occupation, to try to live through this bombing.

I saw the Deputy Prime Minister of Ukraine recently urge civilians to leave Kherson and go to other parts of Ukraine this winter due to these Russian attacks. That is what has to be done. The soldiers will stay and they will fight, but the Russians are just constantly attacking Kherson.

In this area—this oblast, it is called—that provincial area, 10 people have recently been killed and 54 injured. The Russians shelled this provincial area 49 times on Thanksgiving day, 49 missiles and bombs on Thanksgiving day, hitting residential buildings, a shipyard, the school grounds, gas pipelines, everything.

The Russian shelling hit a school that was being used as a distribution point for humanitarian aid in the Zaporizhzhia area, up here. So in Zaporizhzhia, they had a school that was handing out humanitarian assistance, and it was attacked by a Russian missile. It killed a social worker and injured two other people.

You probably saw that also in eastern Ukraine recently, the Russians attacked a maternity hospital, and again they killed innocent civilians. They actually killed a newborn baby, a baby boy. They critically injured a doctor. The overnight explosion left a smalltown hospital there in total disrepair, just a crumble of bricks and scattered metal. There were medical supplies, by the way, strewn all over the streets. The newborn who was killed was only 2 days old—2 days old—but he had a name, Serhii, and his death will not be forgotten in Ukraine.

These are flagrant human rights abuses and war crimes. As a Zelenskyy Presidential adviser said, “There is no military logic [here]: they just want to take revenge on the locals. This is a huge war crime.”

I agree. Vladimir Putin is trying to bring Ukraine to its knees, but do you know what it is doing? It is only strengthening their resolve, the amazing resolve of the Ukrainian people.

Russia is beginning to feel the negative impacts of this war more and more. The sanctions are beginning to bite more, and we should strengthen them even more, in my view. But it is having an impact. The Russian banking sector has been hit by this. The Russian central bank reported that a record \$14.7 billion in hard currency was withdrawn from the Russian banking system last month, in October. People are taking their money and running. This was during the 300,000 troop mobilization of mostly untrained recruits.

A November report by the central bank warned that Russia's GDP would face a sharper contraction of 7.1 percent in the fourth quarter of this year, after falling 4.1 percent and 4 percent compared with last year in the previous two quarters.

So the economy is going the wrong way in Russia. Last week, the economy officially entered into a recession. So this war is having an impact on Russia, finally.

The central bank chairwoman told the Russian lawmakers that next year the situation will get darker still. She said:

We really need to look at the situation very soberly and with our eyes open. Things may get worse, we understand that.

I sure hope so. I sure hope so—that countries around the world see what is happening here and tighten these sanctions.

For many Russian companies, the reality of war sank in with the latest desperate mobilization. This is according to the German Institute for International and Security Affairs. I think that is true.

While there are a lot of Russians who still believe the propaganda and the disinformation from the Kremlin about Ukraine and, therefore, continue to fight innocent Ukrainians—their neighbors—other Russians now understand that this battle is not against an enemy; this battle is a failed ploy by Vladimir Putin to achieve his misguided ambitions to recreate the Russian Empire, the Russian Federation. That is what it is about. It is not about Ukraine.

I want to take a moment to talk about the aid package that is being developed right now here on the floor to send to Ukraine to continue our help at this crucial moment and to make an important point, which is that oversight of our assistance to Ukraine is very important. It is important to me. It is important to my constituents. It is important to my colleagues. We need

to be sure there are significant accountability measures in place. We have got to know where the aid is going. We need to know exactly where it is going and who is using it and how.

No one is advocating that we give Ukraine a blank check; and, by the way, they have not gotten a blank check. There are spending safeguards in place already. President Zelenskyy agrees with that. He wants those kind of checks in the system because he knows that that transparency is critical to the continued aid—not just from us but from the 50 other countries around the world that are providing assistance or more.

There is an accounting firm from the United States involved that follows all the aid to the government, as an example. Also, the World Bank sends a report about all the aid that goes to—the state aid, the government aid part, and they constantly audit that and report on that. So there are mechanisms in place already. Could they be strengthened? Probably so.

With regard to military equipment, we have put in place unprecedented policies to be able to have what is called end-use monitoring of the military weapons that are going to Ukraine. I visited with the 101st Airborne in Poland a few weeks ago and talked a lot about how that end-use monitoring is going. We finally have a military attache in country and some people who can help follow where these various weapons are going. And, honestly, so far, so good.

I have to tell you, I am surprised by this, but there has been absolutely no documented instance yet of diversion of U.S.-supplied weapons—to Russia, to Belarus, to third parties. Now, that may happen in the future, but this end-use monitoring is carefully ensuring that you get the serial number and you find out where the thing is going and you check on it. And I think that is very important, and my colleagues need to know that. This is something that the Ukrainian Government wants to do. And they should want to do it, and our military certainly wants to do it.

The Ukrainian Government has been transparent in terms of the funding because it is in their interest. It is in all of our interest. They hear questions about oversight coming from Members of Congress, and they understand the need to provide the accountability. So we need to continue the assistance at this crucial time, as we have said to-night, but we need to be sure it continues to be accountable.

You know, Vladimir Putin, when he decided to initiate this invasion, which so many people around the world thought he would never do because it made no sense; there was no logic behind it. But when he did this, he thought it would be a walk in the park. He thought the Russian Army would roll in and the Ukrainians would roll over.

It turned out to be a walk through Hell for his army and his government.

Why? Because the Ukrainian people showed grit and determination and the military fought more effectively than anybody expected. It is because Ukraine's morale and leadership has not faltered, even against overwhelming odds, a much larger military, and many more missiles. They have not faltered.

I have seen this mindset in Ukraine on my visits there. I think I have been there 8 or 10 times since 2014. It goes from President Zelenskyy all the way down to the soldiers we saw in the trenches, to the civilians who are doing their part.

The Wall Street Journal recently reported that during the Russian occupation of Kherson, the area we talked about earlier, the 68-year-old head doctor at the hospital there in Kherson refused to bow down to the Russian invaders, setting a tone for citywide resistance. He told the invaders: “You can shoot me if you want,” but I am not going to do what you want. I have a responsibility to this hospital, and I am going to carry it out for the citizens of Kherson.

Other Ukrainian workers at the hospital were just as heroic and clever. The Journal reports that their resistance lasted 8 months. They faked a COVID outbreak to keep Russians from stealing their equipment, coming into the hospital and taking equipment. They spied for Ukrainian forces.

The fighting spirit of the Ukrainians should come as no surprise. They are a proud, patriotic, and tough people. For perhaps one of the best illustrations of this courage, I am reminded of the grandmother who gave sunflower seeds to invading Russian soldiers way back in February when they first started coming in. She gave them the sunflowers and said: Give these to somebody to plant at your burial place because you are going to die for invading our country and you might want to have something beautiful being grown at your gravesite.

That was a brave Ukrainian grandmother. I remember the photograph of a woman about 5 feet tall telling this to a Russian soldier a foot or so taller.

And who can blame the patriotic defiance that they have shown. Today, half of Ukraine's energy infrastructure is gone. Kyiv is operating on scheduled blackouts that last 4 hours. This is the capital. Civilians are being killed every day. Ukraine's economy continues to suffer catastrophic consequences. War crimes continue to be revealed day after day.

The actions by the Kremlin to knowingly destroy and attack civilian areas and kill innocent Ukrainians, of course, are meant to dampen Ukrainians' resolve, but, instead, these actions encourage fortitude among the ranks of Ukraine's freedom fighters against the barbaric enemy that has invaded their homeland. That is how they feel.

When I have come down to the floor each week to discuss the status of this

war on Ukraine's land, I have pointed out that this is where the battle is occurring for freedom over tyranny, of democracy over authoritarianism. This is where it is being waged here, in our generation, now. This is why we need to stand up and be counted.

If we don't join allies throughout the world in condemning it and helping Ukraine defend itself, what happens? Well, the world becomes a much more dangerous and volatile place. Trust me, people are watching—our enemies and our adversaries. Iran is watching. China is watching. Others are watching.

This is not the time for the United States and the allies around the world—more than 50 of them who have provided military assistance—to pull back. At a meeting in Romania today, the NATO Secretary General reaffirmed that NATO's door to membership remains open to Ukraine. It has been open since 2008.

I found this to be very welcome news, something I have called for, for years.

I don't think Russia would be in Ukraine if it had happened.

Ukraine is making gains on the battlefield, as I said. Russian forces and equipment are being destroyed and depleted. Russian war crimes continue to be committed as they punish Ukrainian civilians, and the Russian people are beginning to feel the negative effects of this failed war.

I think, frankly, that Vladimir Putin believes his supply of missiles will outlast the patience of the free world. I think that is what he believes. That is why he continues this senseless war. I think he believes he will continue to be able to have enough missiles to outlast the patience of the Western World, of us, the freedom-loving people.

I don't think that is accurate, but we need to prove him wrong. We need to keep the pressure up to end with a resolution to this senseless, brutal war. I believe, with the help of the United States and our allies, democracy can and will prevail over tyranny and authoritarianism. And that, of course,

would send the right message echoed across the world, a message that tyranny and authoritarianism must not triumph.

I yield the floor.

RECESS UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:24 p.m., recessed until Wednesday, November 30, 2022, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF JUSTICE

KATE E. BRUBACHER, OF KANSAS, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF KANSAS FOR THE TERM OF FOUR YEARS, VICE STEPHEN R. MCALLISTER, RESIGNED.

ISMAIL J. RAMSEY, OF CALIFORNIA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF CALIFORNIA FOR THE TERM OF FOUR YEARS, VICE DAVID L. ANDERSON, RESIGNED.